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NAVAL POSTGRADUATE SCHOOL

MONTEREY, CALIFORNIA

THESIS

**THE NORWEGIAN DECISION-MAKING PROCESS
AND WAYS TO IMPROVE IT**

by

Stein-Fr Kynoe

December 2007

Thesis Advisor:
Second Reader:

Robert O'Connell
Peter Gustaitis

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**THE NORWEGIAN DECISION-MAKING PROCESS
AND WAYS TO IMPROVE IT**

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Submitted in partial fulfillment of the
requirements for the degree of

MASTER OF SCIENCE IN DEFENSE ANALYSIS

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**NAVAL POSTGRADUATE SCHOOL
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ABSTRACT

In Norway, there has been an absence of discussion concerning the distribution of responsibilities and relations between the policy makers and their intelligence supporters. The public and political focus has been primarily on the intelligence community's execution of their missions and on ensuring that there is an established legal authority with political oversight and control.

This thesis discusses Norway's foreign and security policies and their relation to the Norwegian political system. It also considers how the national policy makers could better utilize the more than one billion NKR spent yearly on the intelligence services.

The thesis concludes that there is adequate political control over the two main intelligence services, the Norwegian Intelligence Service and the Norwegian Police Security Service. However, the thesis recommends changes that would improve the intelligence supporters' ability to serve their principals, the political decision makers in the government, more effectively. The thesis argues for the establishment of a joint intelligence support element at the Office of the Prime Minister and the production of a Joint Requirement and Priority Document that would cover the nation's overall intelligence needs and priorities. If established, the Document should be issued in both a classified and an unclassified version, to achieve broader political and public support. Finally, the thesis examines the overall structure of the intelligence services and recommends that the Intelligence Service be directly subordinated to the Minister of Defense, not the Chief of Defense, as it is today. This change would increase the Intelligence Service's closeness to and support of the executive power and raise it to the same governmental level as the Norwegian Police and Security Service.

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I. INTRODUCTION

A. PURPOSE AND SCOPE

This thesis will analyze the relationship between Norway's government decision-makers and the intelligence community and identify shortfalls. The thesis will suggest ways to improve and enhance the effectiveness of the overall structure of the intelligence services to better meet the requirements of government officials in the future.

During the past twenty years, debates about the Norwegian Intelligence Community (NIC) and its reorganization focused on establishing a more controllable and politically acceptable legal authority. The established distribution of responsibility was left almost untouched and only a limited amount of literature is available for academic study.

The Sårbarhetsutvalget commission report to the Storting, Report #9 for 2002–2003,¹ envisions “a safe and secure society that would prevent threats and defeat crises.”² It discusses the nation’s overall preparedness and organization in this regard and recommends changes in a variety of areas, including Norway’s readiness structure. Although the intelligence community is described, the report pays little attention to its overall structure and distribution of responsibility. Nor does it discuss either the relationship between the Norwegian Intelligence Service and the Ministry of Foreign Affairs or how the Norwegian Police Security Service contributes to the nation’s national security policy. The report does state

¹ The Storting Standing Committee of Defense and Standing Committee of Justice, Report #9 (2002–2003), The Road to a Less Vulnerable Society (Instilling fra forsvarskomiteen og justiskomiteen – veien til et mindre sårbart samfunn); available from <http://www.stortinget.no/inns/2002/200203-009-004.htm> (accessed May 10, 2007).

² Norges offentlige utredninger (NOU) 2000:24, A Vulnerable Society: Challenges for Norwegian Security and Preparedness (Et sårbart samfunn, Utfordringer for sikkerhets-og beredskapsarbeidet i samfunnet), July 4, 2000, available from <http://www.regjeringen.no/Rpub/NOU/20002000/024/PDFA/NOU200020000024000DDDPDFA.pdf> (accessed May 10, 2007).

that it is not a given that the Norwegian Armed Forces should have a national intelligence responsibility, even though the Forces' need for appropriate intelligence support is highlighted.³

The thesis will argue that the Sårbarhetsutvalget and other commissions view the intelligence community too single-dimensionally and will show that support of Norway's government decision makers is an important responsibility that should also be an aspect of focus. As Report #9, *A Vulnerable Society: Challenges for Norwegian Security and Preparedness*, points out, "In Norway, there is little tradition for the utilization of intelligence by the government administration."⁴ No head of any ministry has total responsibility for the national intelligence services. Historically, that responsibility has been divided between the Minister of Defense and the Minister of Justice and Police. As the Report concludes, "The fragmentation of responsibility can hinder essential information from reaching the proper political level, because the different data are not related to one another."⁵

In Norway, there has been little debate about how to use the intelligence community in support of the national foreign policy except in protecting Norway against threats from nations and nonstate actors. No conceptual approach in regard to the use of intelligence in forming and implementing Norway's foreign and security policies has been observed.

This thesis will show the current flaws in the overall structure linking Norway's government establishment and its intelligence support systems. In the Conclusion, the thesis will suggest ways that the intelligence agencies could be integrated more closely into the decision-making process so as to give the policymakers more comprehensive support and a more comprehensive foundation for their decisions.

³ Norges offentlige utredninger (NOU) 2000, 258.

⁴ Ibid., 254.

⁵ Ibid., 257.

B. BACKGROUND

Intelligence serves and is subservient to policy and . . . it works best – analytically and operationally – when tied to clearly understood policy goals.⁶

This quote, from Mark M. Lowenthal's *Intelligence: From Secret to Policy* (2006), describes well the relations between policy-making and intelligence. The main reason nations generally have a strategic intelligence service is to support by informing their national political goals. Beneficial strategic intelligence, as defined in U.S. Presidential Executive Order 12333 (2004) is: "Timely and accurate information about the activities, capabilities, plans and intentions of foreign powers, organizations and persons and their agents.⁷ A short introduction of strategic intelligence is described in Chapter V.

Norway's current government Security Policy Summary describes the anticipated future requirements of the intelligence communities and shows clearly that the focus of the Security Policy changed after the disintegration of the Iron Curtain in 1989.

Today's security challenges are less linked to traditional military threats due to the increased possibility of terrorist attacks and large-scale environmental and natural disasters. The expanded security concept and an integrated approach have been assigned increasing importance following the Cold War. Political, economic, security, and military means are knit closely together within the framework of an overarching strategy designed to prevent and handle crises and to offer lasting and stable solutions to conflicts.⁸

⁶ Mark M. Lowenthal, *Intelligence From Secret to Policy*, 3d edition (Washington, D.C.: CQ Press, 2006), xi. Lowenthal is an experienced government service officer, including years in the legislative branch, the executive branch, and the CIA.

⁷ Presidential Executive Order 12333: United States Intelligence Activities, available from <http://www.archives.gov/federal-register/codification/executive-order/12333.html?template=print#1.1> (accessed February 19, 2007).

⁸ Norwegian Government, Ministry of Foreign Affairs. The Security Policy, available from <http://www.regjeringen.no/nb/dep/ud/tema/Sikkerhetspolitikk/Sikkerhetspolitikk.html?id=86753>. (accessed February 18, 2007).

Norway's current government's policies are described in the Soria Moria Declaration, 2005–2009.⁹ Although those policies differ slightly from one political party or group to another, the overall direction is the same. The government's main goals, in addition to protecting Norway's mainland and its economic interests in the nearby seas, include playing an increasing role in international politics, reducing terror-related activity, and helping create a more peaceful world society. In addition, the thesis considers possible domestic threats within Norway itself.

During the 1980s and '90s, there were numerous accusations of the Norwegian intelligence community, claiming it had carried out illegal surveillance on and registration of Norwegian citizens and organizations. Sections of the military intelligence service also were accused of not being under acceptable national control. Subsequently, public pressure led to a number of investigations and reorganization, however minor. Pressure from the media, society, and politicians resulted in the formation of an investigative parliamentary committee, the Lund Commission.¹⁰ Because the commission had real access to all the intelligence services' archives, both the commission and its conclusions were well accepted and respected by all the political parties and stakeholders involved. The commission took two years to conclude its investigation. Only minor illegalities were identified and no one was charged. Nonetheless, the process led to several reorganizations and the enactment of new laws for regulating the various services and defining and clarifying their objectives.

The laws and reports passed by the Storting concerning the intelligence community focus mainly on the two national intelligence services' dual responsibilities: the Norwegian Intelligence Service's (NIS) responsibility for protecting the country against external threats and the Norwegian Police Security

⁹ The Norwegian Government, Policy Document for 2005–2009, October 13, 2005. Available from <http://www.regjeringen.no/upload/kilde/smkrap/2005/0001/ddd/pdfv/260512-regjeringsplatform.pdf> (accessed February 18, 2007).

¹⁰ Document #15 to the Storting, March 28, 1996. The commission was headed by Counsel Ketil Lund. Initially, the report was classified SECRET (NOFORN); declassified March 8, 1996, by the Storting.

Service's (NPSS) responsibility to protect the country against internal threats. Some challenges inherent in this division of responsibility are evident in the October 2006 Royal Instructions, "Regulations Concerning Cooperation between the Norwegian Intelligence Service and the Norwegian Police Security Service."¹¹ Historically, however, the legislative branch has paid little attention to the role of the strategic intelligence services in informing and supporting the national decision-making process.

In a speech on November 2006, the director of the Intelligence Service, Major General Hagen Torgeir, highlighted the challenges faced by the intelligence community. His remarks were especially significant because it was the first time in forty-four years that an intelligence director had given a public address. The topic was the Role of the Norwegian Intelligence Services in Today's Changing World.

The clear and distinct dividing line between purely domestic and foreign affairs has become blurred. . . . This change has led to an increased number of clients and boosted expectations in regard to the products we [the NIS] can deliver. . . . Intelligence is being more and more accepted as a natural part of the decision-making process.¹²

Following the speech, in an article in Norway's leading newspaper, *Aftenposten*, in December 2006, Olav Riste, a former professor at the Norwegian Institute for Defense Studies, now retired, raised a number of critical questions concerning three crucial areas: the intelligence community's overall organization and structure, the military intelligence service's role in the national security-policy

¹¹ Royal Instructions: Regulations concerning cooperation between NIS and NPPS for 2006,10-13 nr 1151 (Instruks om samarbeidet mellom Etterretningsstjenesten og Politiets sikkerhetstjeneste), available from: <http://www.lovdata.no/cgi-wift/ldles?doc=/sf/sf/sf-20061013-1151.html> (accessed May 30, 2007).

¹² Torgeir Hagen, November 20, 2006, The Norwegian Intelligence Service in a Changing World (Etjenesten i en omskiftelig verden), a speech given to the Oslo Military Community. Torgeir Hagen is the Director of the Norwegian Intelligence Service and a Major General.. Received via e-mail from NIS, February 2007.

and threat-warning process, and the overarching issue of quality control.¹³ Riste is a well-known author and expert on the Norwegian Intelligence Service¹⁴ and his article triggered a public debate in Norway's major newspapers.

C. LIMITATIONS

The extent of this thesis is limited due to its reliance on unclassified sources. This is a weakness because much pertinent and important information is classified and thus inaccessible. Nonetheless, as an unclassified study it has strength in that it is freely accessible by the general public, who can then debate its content and general implications. All the thesis descriptions and references are traceable through open sources.

The thesis addresses only issues that are at the national strategic level, and does not discuss the question of a possible merger of the Norwegian Intelligence Service and the Norwegian Police Security Service. Given that Norway is a small country and that an examination of such a merger might be of some interest, this research shows that such a merger is not a workable option for two major reasons. The two services' focus areas and missions are too different, and a merger would create huge legislative and oversight challenges.

D. METHODOLOGY AND RESEARCH QUESTIONS:

This thesis addresses three main questions and a number of sub-questions.

Question 1. How should Norway's strategic intelligence community be structured to assure that it plays a fully effective role in the government's policy decision-making process concerning, in particular,

¹³ Olav Riste, Intelligence in a New Time (Etterretning i en ny tid), *Aftenposten*, December 18, 2007. *Aftenposten* is the leading Norwegian newspaper (conservative), available from <http://www.aftenposten.no/meninger/kronikker/article1573485.ece> (accessed January 24, 2007).

¹⁴ Riste also wrote *The Norwegian Intelligence Service 1945-1970* (London, Portland, OR: Frank Cass, 1999), an unclassified history of the Norwegian Intelligence Service (NIS).

- Support of national policies pertaining to foreign affairs, security, and defense
- Protecting the nation and maintaining the security of both the populace and the national infrastructure

Question 2. How should Norway's future intelligence services be structured so as to ensure:

- A short and clear chain of command
- Provision of relevant, timely, and reliable information
- Legislative, executive, and public support
- Unity of effort

Question 3. If a change of structure is deemed necessary for the best political support, what are the estimated consequences for:

- command-and-control relationships
- the Norwegian Armed Forces

The five remaining chapters of the thesis are designed to answer these key questions.

As grounds for comparison with the Norwegian system, Chapter II will describe the U.S. intelligence community, its relationship to the legislative and executive branches, and the way it supports the goals presented in the U.S. National Security Act. However different Norway and the United States are in the size and execution of their intelligence ambitions, this thesis chose the U.S. intelligence community for comparison because there is better access to unclassified and reliable information concerning it than for other more comparable nations.

Chapter III will describe Norway's political system, its governmental decision-making process, and the relationship between its executive and legislative branches. The chapter will also describe the main actors in the

Norwegian strategic intelligence community and their regulations and objectives. Comparisons to the United States will be included when appropriate and applicable.

Within that context, Chapter IV will describe the political goals of the Norwegian government currently in power, as presented in its charter and other official documents. The national security environment and future threats will also be discussed.

Chapter V will discuss criteria for the role of the intelligence services in effectively and relevantly supporting the decision-making process, as well as ways that that supportive role might be further enhanced and improved.

Chapter VI will summarize the preceding analyses and discussions and will argue for improvements in the decision-making structure.

II. THE U.S. INTELLIGENCE COMMUNITY: ITS ROLE IN THE U.S. GOVERNMENT

This chapter will discuss the U.S. intelligence community, its relation to the legislative and executive branches of the U.S. government, and its support of the goals outlined in both the National Security Act of 1947, as amended, and Presidential Executive Order 12333, 1981 and 2004.

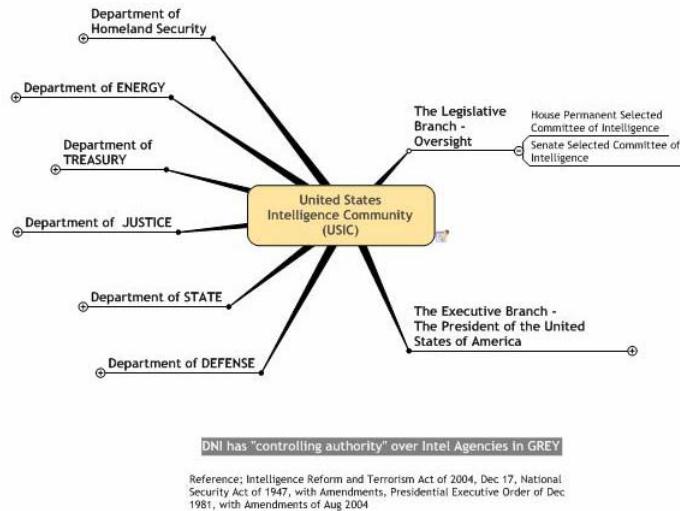


Figure 1. An overview of the stakeholders in the U.S. intelligence community

The United States is the world's sole superpower and will no doubt continue in that role for the foreseeable future. At present, the United States executes an expansive foreign policy that has some degree of impact on most of the countries around the globe. Thus, any reorganization of its intelligence services is of great interest. Recently, U.S. intelligence agencies have experienced their toughest public scrutiny from the media and Congress since the 1961 Bay of Pigs operation in Cuba. For researchers, one of the most beneficial results has been the new availability of in-depth, reliable information.

In the U.S. media and within the government in general, we find an array of definitions of “intelligence” that vary considerably. Nonetheless, the definitions of “national intelligence” in the 1947 National Security Act, as amended October 13, 2004,¹⁵ and in Executive Order 12333, updated August 27, 2004, essentially agree.¹⁶ They both focus on the intelligence services’ obligation to support the President and the National Security Council.

Goals. The United States intelligence effort shall provide the President and the National Security Council with the necessary information on which to base decisions concerning the conduct and development of foreign, defense and economic policy, and the protection of United States national interests from foreign security threats. All departments and agencies shall cooperate fully to fulfill this goal.¹⁷

A. THE U.S. INTELLIGENCE COMMUNITY: A BRIEF HISTORY

The United States has used “spies” to do intelligence gathering since at least as early as early as the War of Independence (1775–83) under the first U.S. President, George Washington (1789–97). But the first intelligence service, the Office of Naval Intelligence in the Department of the Navy, was not formally established until 1882, and the second, the Military Intelligence Division in the Department of War, two years later.

At that time, they were established more in support of the warfighter than in support of the government’s national strategic decision making. During the First World War and until 1927, the Department of State provided intelligence support for the policy makers. An office known as the Black Chamber (1918–29), sponsored by the Departments of State and War, the first national effort for cryptological analysis, was the forerunner of the National Security Agency. Its

15 The National Security Act of 1947, as Amended Oct. 13, 2004. Available from http://www.intelligence.gov/0-natsecact_1947.shtml. Accessed March 11, 2007.. The Act was further updated by the Intelligence Reform and Terrorism Prevention Act, Dec. 17, 2004.

16 Presidential Executive Order 12333: (still valid after update of Aug. 27, 2004) <http://www.whitehouse.gov/news/releases/2004/08/print/20040827-6.html>. Accessed May 7, 2007

17 Ibid; see also Mark Lowenthal, *Intelligence: From Secret to Policy*, 2.

activity ended when the State Department withdrew its support, with a now-famous quote from then Secretary of State Henry Stimson, "Gentlemen do not read each other's mail." Stimson would go on to be appointed Secretary of War during World War II.

The origin of today's intelligence apparatus was the Office of the Coordinator of Information established in the summer of 1941. The OCI was later reorganized and renamed the Office of Strategic Service. Although President Roosevelt was a strong supporter of the Strategic Service under Director Bill Donovan, President Truman, his successor, did not favor involvement with a secret intelligence organization and on September 20, 1945, it was disbanded. However, developments between U.S. allies after World War II forced Truman to reconsider the need for a national strategic intelligence agency. For a brief time, the Central Intelligence Group served that purpose until, in 1947, the National Security Act established the Central Intelligence Agency with a brief thirty-line text presentation.¹⁸

All three involved departments – State, Navy, and War – opposed the CIA's formation, as did the Federal Bureau of Investigation (FBI). At the time, both the President and the Congress were focused on merging the Navy and War Departments into a consolidated Department of Defense, forming a permanent Joint Chiefs of Staff, and creating the National Security Council (NSC). Thus, initially, the CIA was intended only to "correlate," "evaluate," and "disseminate" intelligence from other services.¹⁹ The further development of the CIA was shaped primarily by the President and his executive branch, and without serious interest from the legislative branch, as described by Zegart.²⁰ The CIA

¹⁸ R. George and R. Kline, eds., *Intelligence and the National Security Strategist*, (Roman and Littlefield Publishers Inc., 2006); Amy Zegart, "Origins of the Central Intelligence Agency," 37.

¹⁹ Amy Zegart, *Flawed by Design: The Evolution of the CIA, JCS, and NSC* (Stanford: Stanford University Press, 1999), 163.

²⁰ Ibid, 221

and its Directorate of Operations developed into an agency involved in great number of clandestine operations around the world, more or less in support of the Presidents policy.

On March 2, 1995, President Clinton issued Presidential Decision Directive 35, defining his intelligence requirements.²¹ The Directive emphasized that the highest priority of the intelligence services is the support of military operations. Directive 35's focus on the warfighter was contrasted to and overruled by the now updated NSA and Executive Order 12333 in 2004.

With the enactment of the National Security Act, the Director of Central Intelligence, in addition to being the director of the CIA, became responsible for coordinating the collection and analysis of intelligence throughout the entire intelligence community. However, it gave him no budgetary or command functions, nor any authority to forge interagency collaboration.²² As Amy Zegart's *Flawed by Design* shows, this reconfiguration of responsibilities only hampers the work of the U.S. intelligence services. Zegart points out that, with such a lack of authority over departmental agencies, the DCI "could only *hope* to provide the President with high-quality, coherent intelligence."²³ The 9/11 Commission addressed these same problems, as did the National Intelligence Reform Act of 2004. The subsequent establishment of a Director of National Intelligence was an attempt to compensate for some of the problems.

Nonetheless, as L.K. Johnson explains, some of the challenges are rooted in the U.S. Constitution: "The executive branch of Government in the U.S. is required to share its powers with the legislative and judicial branches. While this can lead to frustrations and inefficiencies, its virtue lies in the accountability that sharing provides."²⁴

²¹ Presidential Decision Directive 35: Intelligence Requirements, March 2, 1995, available at <http://www.fas.org/irp/offdocs/pdd35.htm> (accessed May 12, 2007).

²² Zegart, 188.

²³ Zegart, 190, emphasis added.

²⁴ R. George and R. Kline, eds., Loch K. Johnson, "Balancing Liberty and Security," 65. Johnson is a former staff member of the Senate Select Committee on Intelligence.

B. LEGISLATIVE POWER: THE U.S. CONGRESS

The U.S. Congress is a bicameral institution consisting of a Senate and House of Representatives. "Since the end of World War II, Congress has passed only two major pieces of intelligence legislation: the National Security Act of 1947 and the Intelligence and Terrorism Prevention Act of 2004."²⁵ Prior to 1974, the Senate and the House exercised little will or interest in executing oversight over the intelligence services. From his study of the findings of the Church Committee in 1974, Zegart concludes, "It is clear that the Congress did not carry out effective oversight."²⁶ As he notes, the representatives' lack of interest was also a result of the issue's complexity, its time-consuming execution, and the special security arrangements required. Furthermore, intelligence matters rarely have an impact in a representative's home district. It is also significant that the intelligence services are part of and work for the executive branch.²⁷ Therefore, the development of the CIA and other agencies was for a long time left almost entirely to the purview of the President and his cabinet. This lack of legislative interest changed, however, during the seventies. In 1974, after the Church Committee report,²⁸ restrictions were placed on the President concerning covert actions.²⁹ In 1976, a Senate Select Committee on Intelligence was established and, in 1977, a House Permanent Select Committee on Intelligence was also established. Both were to execute political oversight over the intelligence services.

There are a number of areas in which the House and Senate can exercise their jurisdiction over intelligence programs: budgets, staff, hearings, and

²⁵ Lowenthal, *Intelligence*.

²⁶ U.S. Senate Church Committee Report, 1976,11; cited in Zegart, 194.

²⁷ Lowenthal, 215.

²⁸ The Church Committee, or the Select Committee to Study Governmental Operations with Respect to Intelligence Activities, United States Senate, 94th Congress, was the first thorough examination of the U.S. intelligence community.

²⁹ A covert action is an activity, or activities, by the U.S. government intended to influence political, economic, or military conditions abroad, but in which it is intended that the government's role will not be apparent or acknowledged publicly.

investigations. During the late '70s, '80s, and '90s, several investigative commissions were established with varying results and effectiveness. The most important recent committee was the Joint 9/11 Commission, which resulted in the National Intelligence Reform Act of 2004.

Concerning intelligence agency budgets, the Senate Intelligence Committee has oversight jurisdiction only over the National Foreign Intelligence Programs. The House Intelligence Committee has jurisdiction over those and over the Joint Military Intelligence Programs.³⁰ This problematic situation has been addressed a number of times, but so far no changes in the oversight have been implemented.

C. EXECUTIVE POWER: THE PRESIDENT OF THE UNITED STATES

In the United States, the responsibility for national security belongs to the executive branch and was rarely seriously challenged by the Congress before the 9/11 Commission report. Figure 2 gives an overview of the intelligence structure the President has at his disposal in developing and supporting his policies.

³⁰ Richard A. Best Jr., "Intelligence Issue for Congress," CRS Report for Congress, RL33539, updated October 4, 2007; received via e-mail from NPS Library, October 16, 2007.

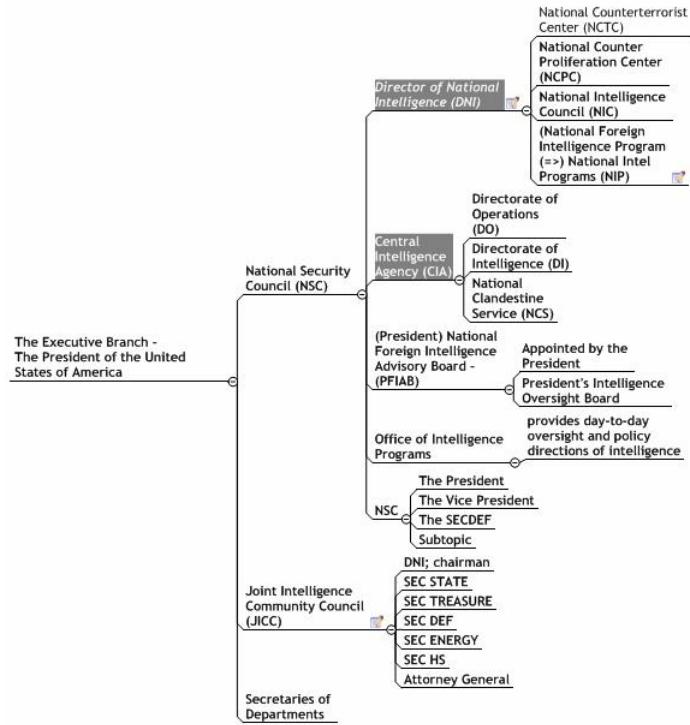


Figure 2. Overview of the intelligence assets attached to the U.S. President

For the President and his foreign policy, the most important advisory body is the National Security Council, which was a creation of the National Security Act of 1947. According to Michael Donley's May 2007 paper, "Rethinking the Interagency Systems," the Security Council's main responsibilities are:

- to understand the circumstances, intelligence, and other information pertaining to a given issue;
- to precisely define U.S. interests and select the desired goals and outcomes; and

- to evaluate and select, from among alternative means and risks, the most effective path to achieve the desired outcome, that is, a strategy.³¹

In the years since 1947, the Director of Central Intelligence's lack of authority to enforce the coordination and unity of intelligence efforts was addressed numerous times. Most recently, it was highlighted in the 9/11 Commission Report.³² Subsequently, the Commission's recommendation for better coordination and management throughout the intelligence community was included in the 2004 National Intelligence Reform Act. The Act formally established the office of the Director of National Intelligence, with the intention of making the DNI an independent cabinet-level position.³³ According to the Act, his principal responsibilities are:

- serve as head of the intelligence community;
- act as the principal adviser to the President, to the National Security Council, and to the Homeland Security Council for intelligence matters related to national security; and
- consistent with section 1018 of the National Security Intelligence Reform Act of 2004, oversee and direct the implementation of the National Intelligence Program.³⁴

As compared to the Director of National Intelligence's predecessor, the Director of Central Intelligence, in the Reform Act both the DNI's authority and his responsibility are expanded. The DNI is assigned a staff of about 1,500 officers and a budget to execute given tasks. However, the Secretary of Defense

³¹ Michael Donley, "Rethinking the Interagency Systems," Occasional Paper #05-01, Hicks and Associates, Inc., available from <http://www.hicksandassociates.com/reports/HAI-occasional-paper.pdf> (accessed May 20, 2007), used at NPS as part of class SO 3202. Donley has served for years in the government, including as a staff member of the NSC.

³² National Commission on Terrorist Attacks upon the United States, September 20, 2004, 411, available from http://www.9-11commission.gov/report/911Report_Ch13.pdf. Accessed May 11, 2007.

³³ Best, CRS 9.

³⁴ National Intelligence Reform Act (NIRA), 118, STAT. 3645, available from <http://thomas.loc.gov/cgi-bin/query/D?c108:4:/temp/~c108uJng9i> (accessed April 15, 2007).

continues to exercise control of some 80 percent³⁵ of the intelligence budget, an estimated \$40 billion.³⁶ The intent in creating the office of the DNI was to establish closer relations within the entire intelligence community, including involvement of the DNI in the budgetary and tasking processes and access to intelligence and other tasks described in Section 102A of the Act. To achieve increased cross-service cooperation and speed, specialized intelligence centers were established within the DNI office.

The office of the DNI has the responsibility to develop a National Foreign Intelligence Program, while the Joint Military Intelligence Program is the responsibility of the Secretary of Defense, coordinated with the DNI. Many experts in the field believe that such a division of responsibility will continue to create unnecessary challenges for the DNI.

In 2004, in the aftermath of the 9/11 Commission, a Joint Intelligence Community Council was established.³⁷ The Council is headed by the DNI and consists of the Secretaries of State, Defense, Energy, the Treasury, the Homeland Security Department, and the attorney general. The Joint Intelligence Community Council's official functions are to "assist the DNI in developing and implementing a joint, unified national intelligence effort to protect national security."³⁸ As Lowenthal explains, the JICC is an executive oversight element of the President that serves as an advisory group for the DNI concerning requirements, budgets, performance, and evaluation.³⁹

The DNI and the National Security Council are closely connected to the President and are supposed to execute an overarching coordination of priorities and analyses across the fifteen different intelligence agencies and services. While the CIA is the only intelligence agency that the President can influence

³⁵ Lowenthal, 46.

³⁶ Best, CRS 7.

³⁷ NIRA ,118; STAT. 3677, Sec. 1031.

³⁸ NIRA, 118; STAT. 3678.

³⁹ Lowenthal, 192.

directly, the Director of National Intelligence has now replaced the CIA director's direct access to the President. After its establishment in 1947, the CIA quickly adopted some of the numerous tasks formerly performed by the OSS and became the president's most important tool for influencing policy around the world. The 1961 CIA Directorate of Operation's involvement in the Bay of Pigs is probably the most infamous attempt by a President to execute a major covert action.

For the purposes of this thesis, the most important roles of the CIA, the DCI, and the Director of National Intelligence are to support the government and political decision-makers with timely and reliable intelligence. These routine intelligence productions, as outlined by Mark Lowenthal in his 2006 book, *Intelligence: From Secret to Policy*, are as follows.⁴⁰

- On a daily basis, the President Daily Brief is produced by the DNI and delivered to the President and his senior advisers every morning.
- The Senior Executive Intelligence Brief (SEIB), previously known as the National Intelligence Daily, has a wider distribution, including the House Permanent Select Committee on Intelligence and the Senate Select Committee on Intelligence. The SEIB is an early-morning "newspaper" prepared by the CIA in coordination with the other intelligence producers.
- The National Intelligence Estimate, signed by the DNI, is a series of long-term products of various subjects of high national interest and is the considered opinion of the entire intelligence community in support of the President and the National Security Council and their policy-making.

Although the different Secretaries have their own intelligence assets to maintain their short-term intelligence needs, the National Intelligence Council is

⁴⁰ Lowenthal, 62–63.

the "center for midterm and long-term strategic thinking." The NIC is the key bridge within and between the intelligence community and the policymakers. The council is supported by senior analysts from across the community and is, in addition to the National Intelligence Estimates, producing a broad number of other joint analyses for use by the President and senior policy makers in his administration. Furthermore, the NIC is supposed to produce key intelligence priorities and collection and analyze guidance across the whole intelligence community.⁴¹

D. EXECUTING DEPARTMENTS AND AGENCIES

Subsequent sections will describe the other intelligence organizations and their tasks following the enactment of the National Intelligence Reform Act of 2004. Numerous books and articles have been written about these departments and agencies. The 2007 Congressional Research Service Report to Congress gives an authoritative, concise, and clear summary of their tasks, and is partially cited in the following descriptions of the different agencies. The purpose here does not include an examination of the evolution of the different agencies.

Intelligence collection is generally separated into three major categories, or "INTs": Human Intelligence, or HUMINT; Signal Intelligence, or SIGINT; and Imagery Intelligence, or IMINT. Human Intelligence is the collection of information by and from human beings. Signals Intelligence is the interception of signals in the air, or by other means – voice, data, or other electronic signals, encrypted or not – between two or more emitters. Imagery Intelligence is imagery taken from above the Earth of selected targets. This imagery is collected in essentially three ways: by satellites, manned aircraft, and unmanned aerial vehicles. An overview of the entire U.S. intelligence community is shown in Figure 3. The CIA is included in Figure 2.

⁴¹ Office of DNI, The National Intelligence Council: Their Mission, available from <http://www.odni.gov/aboutODNI/organization/NIC.htm> (accessed October 22, 2007). See also National Security Act, Sec 101.

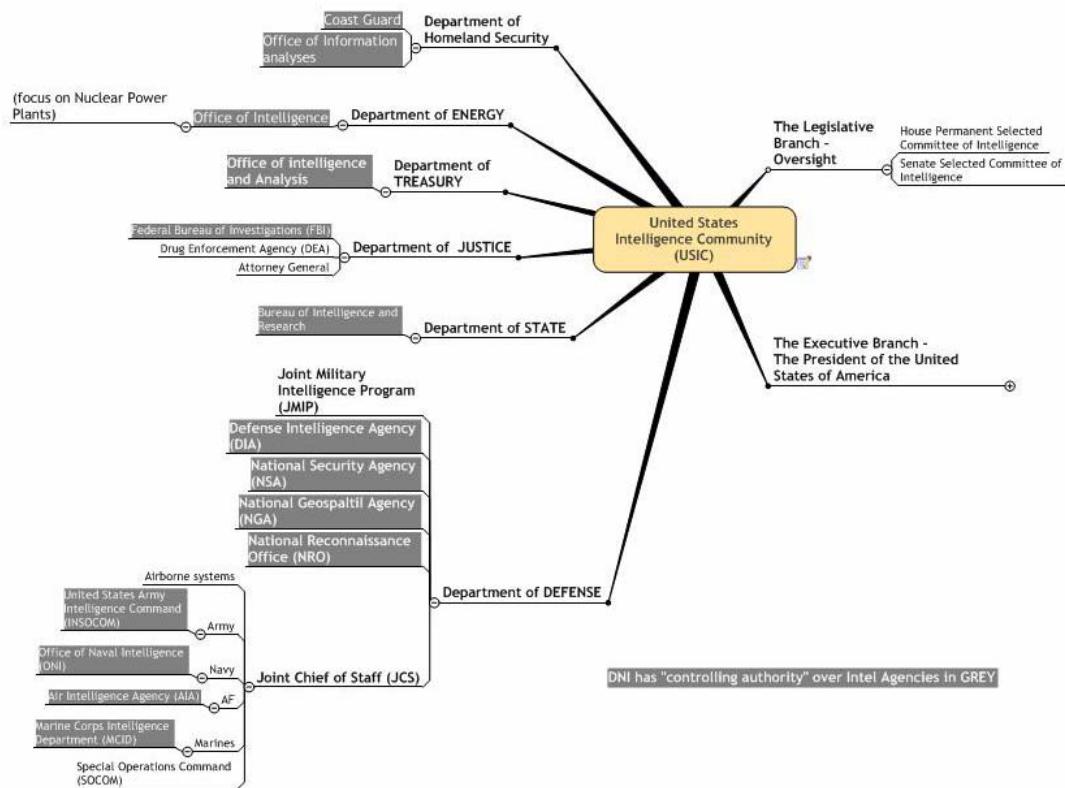


Figure 3. U.S. Intelligence Agencies: An Overview

1. Central Intelligence Agency (CIA)

The CIA remains the key actor in the U.S. intelligence community. It has all-source analytical capabilities that cover the whole world outside U.S. borders and produces a range of studies that cover virtually all topics of interest to national-security policymakers.⁴²

Through the Directorate of Operations successor, the National Clandestine Service, the CIA is the U.S. agency responsible for human intelligence collection. It is also the agency that when needed is tasked to carry out covert operations in support of the President's political goals. The 9/11 Commission recommended that the Pentagon's Special Operations Command

⁴² CRS, 3.

(SOCOM) take over responsibility from the CIA for the paramilitary operations. Either the CIA or the Joint Chiefs of Staff did not support this change.

2. Department of Defense

Although the 2004 National Intelligence Reform Act provides the Director of National Intelligence with extensive budgetary and management authorities over all the intelligence agencies, these authorities do not “threaten” the Secretary of Defense’s control of either the military intelligence agencies or the Joint Military Intelligence Program. The arrangement creates not only a need for close cooperation, but also an opportunity for disagreements and thus has the potential for greatly complicating the overall intelligence effort.

a. *The National Security Agency (NSA)*

The National Security Agency is responsible for national signals intelligence collection and evaluation and, since the Reform Act of 2004, the NSA has increased its domestic tasks. The secrecy surrounding the NSA has always been high. Indeed, so little has been known about it that it has been dubbed the “No Such Agency.” But a recent book, George and Kline’s *Intelligence and the National Security Strategist* (2006), gives a comprehensive assessment of this most secretive agency. After the end of the Cold War, the agency faced huge challenges, having recently gone through a little-known reorganization to increase the efficiency of this, the largest U.S. intelligence agency.

b. *The National Reconnaissance Office*

The National Reconnaissance Office is responsible for developing and operating reconnaissance satellites for the Department of Defense.⁴³

⁴³ CRS, 3.

c. *The National Geospatial-Intelligence Agency*

The National Geospatial-Intelligence Agency prepares the geospatial data, ranging from maps and charts to sophisticated computerized databases, necessary for advanced targeting.⁴⁴

d. *The Defense Intelligence Agency*

As described on its official website, the Defense Intelligence Agency is designed to “provide timely, objective, and cogent military intelligence to war-fighters, defense planners, and defense and national security policymakers.”⁴⁵ The agency is also responsible for the defense department’s attachés.

e. *Service-oriented Intelligence Organizations: U.S. Army, Navy, Air Force, and Marines*

The intelligence organizations of the four military services concentrate largely on concerns related to their specific missions. Their analytical products, along with those of the DIA, supplement the work of CIA analysts and provide greater depth on key technical issues.⁴⁶

3. The Department of State

The Department of State’s Bureau of Intelligence and Research is one of the smaller components of the U.S. intelligence community, but it is widely recognized for the high quality of its analysis. The Bureau is strictly an analytical agency and the diplomatic reporting from embassies, though highly useful to intelligence analysts, is not considered an intelligence function, nor is it budgeted as one.⁴⁷

⁴⁴ CRS, 3.

⁴⁵ Defense Intelligence Agency Mission Statement, available from <http://www.dia.mil/thisisdia/mission.htm> (accessed May 30, 2007).

⁴⁶ CRS, 3.

⁴⁷ Ibid.

4. The Department of Justice: The FBI

The Federal Bureau of Investigation was founded as a law enforcement agency in 1908, but was also assumed responsibility for Intelligence gathering in Latin America in 1939.⁴⁸ The FBI's ambitions in the foreign intelligence area, was a part of their resistance against the formation of the CIA. However, when these responsibilities were handled by the CIA, the FBI focused on its law enforcement, and counterintelligence role. The FBI has been, and is, a major contributor the U.S. national counterintelligence and counter terror efforts and the national security.

Thus, FBI has been forced to undergo a major shift in mentality to be able to use the information it gathers in counterterrorism and counterintelligence activities, not only for prosecution. Since September 2001, the intelligence aspect of the FBI's mission has grown enormously in importance. It has been reorganized in an attempt to ensure that the intelligence functions are not subordinated to traditional law enforcement efforts. Most important, the Bureau's law enforcement information must now be forwarded to other intelligence agencies for use in all-source products.⁴⁹

5. The Department of Homeland Security (DHS)

The Department of Homeland Security is responsible for fusing law enforcement and intelligence information related to terrorist threats to the homeland. The Office of Information Analysis in the DHS participates in interagency counterterrorism efforts and along with the FBI focuses on ensuring that state and local law enforcement officials receive information on terrorist threats from the national-level intelligence agencies. The Coast Guard, now part of DHS, deals with information relating to maritime security and homeland defense.⁵⁰

⁴⁸ Zegart, 168

⁴⁹ CRS.

⁵⁰ Ibid.

6. The Department of Energy

The Department of Energy analyzes foreign nuclear-weapons programs, nuclear non-proliferation, and energy-security issues.⁵¹

7. The Department of the Treasury

The Department of the Treasury has a robust counterintelligence responsibility. It collects and processes information that may affect U.S. fiscal and monetary policies. It also covers the terrorist financing issue and is able to interrupt money-laundering activities that support terrorism.⁵²

E. SUMMARY

The U.S. intelligence community is complex and comprehensive and in recent years has developed a tighter and closer relationship with the executive and legislative branches.

The size and comprehensive nature of the U.S. intelligence community insures multiple interfaces with various policymakers within the U.S. government, and with the Congress. This in turn maximizes the availability support for decision-makers, and creates clear conduits for further intelligence collection and analyses. Because the U.S. intelligence community is closely tied to the larger national government at many points, it provides a useful comparison of Norway's intelligence structure and its relationship to the nation's governmental apparatuses.

⁵¹ CRS.

⁵² Ibid.

III: NORWAY: KEY ACTORS AND THEIR ROLES IN THE GOVERNMENT DECISION-MAKING PROCESS

This chapter will describe the roles of the various agencies, particularly the intelligence services, that contribute to the Norwegian government's strategic decision-making process, as shown in Figure 4.

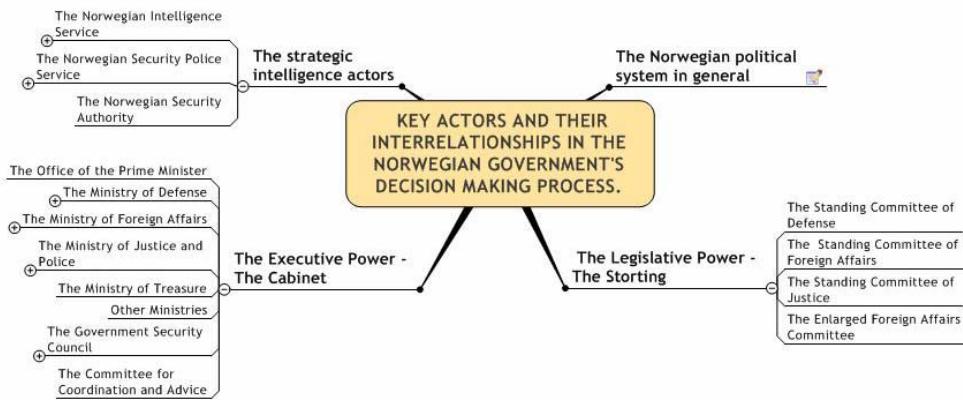


Figure 4. Key actors in the decision-making process

A. THE NORWEGIAN POLITICAL SYSTEM

The Norwegian Constitution of 1814⁵³ divides Norway's governing powers into three independent branches:

- The Legislative Power: The Storting (§49)⁵⁴
- The Executive Power: The King and his Government (§3)⁵⁵
- The Judicial Power: The Courts of Law.

⁵³ The Norwegian Constitution (May 17, 1814, updated March 30, 2007). Available from http://www.lovdata.no/cgiwift/wiftldles?doc=/usr/www/lovdata/all/nl-18140517-000.html&emne=grunnlov*&& (accessed July 19, 2007).

⁵⁴ Though many nations call their legislative assembly a Parliament, the Norwegian legislative assembly is the Storting and is referred to by that name throughout the thesis.

⁵⁵ Officially, in Norway, the term "Government," though derived from English, refers only to the Prime Minister and his cabinet.

While the Judicial Power is not defined as specifically as the Legislative and the Executive Powers, its independence, as intended by the founding fathers has never been disputed.⁵⁶ This power will not be discussed further in the thesis, because the Judicial Power itself outside the focus of this thesis.

As described in the widely accepted constitutional textbook, *Statsforfatningen i Norge* (The Norwegian Constitution),⁵⁷ by Johs Andenes and Arne Fliflet, the division of the three Powers is not absolute.

The King has an interest in the Legislative authority and the Storting in the civil service. However, in executing the express authority the two powers have, they act independent of one another.⁵⁸

In the 1800s and early the 1900s, during Norway's union with Sweden, relations between the Storting and the King's Government were strained and troublesome, but for a long time now, the two branches have had a decent and constructive relationship.

B. THE LEGISLATIVE POWER: THE STORTING

1. Introduction

Norway has had a parliamentary political system, as is now common in Europe, since 1884. To maintain that system and to govern the country, the Government needs the support of the Storting; it cannot govern against the will of the Storting majority. In America, the founding fathers chose a different democratic solution: the people elect the President who then appoints the members of the cabinet. If the Norwegian Government loses the general support of the majority in the Storting, it must resign. Since Norway's Independence in 1905, this has occurred only twice. In 1928 and 1963, the Government had to

⁵⁶ Johs Andenes and Arne Fliflet, *Statsforfatningen i Norge* (The Norwegian Constitution), 10th ed. (Oslo: Universitetsforlaget, 2006), 206. The authors are the most respected authorities in Constitutional matters in Norway and Norden.

⁵⁷ Ibid.

⁵⁸ Ibid, 72.

resign because of general mistrust from the Storting. In other resignations, the most common reasons were problematic elections and a change of the party constellation (13 times) and the Government's request for the Storting's support in a special case, which was denied (11 times).⁵⁹

As of 2007, the Norwegian Storting consists of 169 representatives from eight different parties. Since 1960, no party has been in the majority in the Storting. Most of the Governments have been minority Governments dependent on the cooperation of the different parties on a case-to-case basis. The Norwegian Government of 2007 is supported by a majority coalition in the Storting: the Labor Party (Arbeiderpartiet) with 61 members; the Socialist Left Party (Sosialistisk venstreparti) with 15 members; and the Centre Party (Senterpartiet) with 11 members.

2. The Storting

According to the official Stortinget: Rules of Procedure, the Storting is divided into thirteen Standing Committees,⁶⁰ which prepare all important matters before they are presented to the Storting. In composing these committees, every effort is made to ensure proportional representation from among the different political parties. Each committee's work is related to a ministry with the same or a similar name. For the purposes of this thesis, the most important committees are, in alphabetic order:

- The Standing Committee on Defense, or Forsvarskomiteen
- The Standing Committee on Foreign Affairs, or Utenrikskomiteen
- The Standing Committee on Justice, or Justiskomiteen
- The Enlarged Foreign Affairs Committee, or Den utvidete utenriks- og forsvarskomitee

⁵⁹ Stortinget.no, The Norwegian Parliamentary History, available from http://www.stortinget.no/om_stortinget/forfatningen/parlamentarismen.html (accessed January 29, 2007).

⁶⁰ Stortinget.no., The Norwegian Storting, Rules of Procedure, available from http://www.stortinget.no/english/rules_of_procedure.pdf (accessed July 17, 2007).

In Norway, there is no direct relation between the intelligence services and the Storting. According to the Secretary of the Defense Committee, there is no need for a Standing Committee for Intelligence.⁶¹ The Minister of Defense briefs the chairman and deputy of the Standing Committee on Defense yearly on topics related to the Norwegian Intelligence Service (NIS). The Defense Committee can also forward written questions concerning the Intelligence Service to the Minister of Defense, who then will respond. Further, the Defense Committee visits an NIS location yearly and can require further visits if necessary. The Secretary has highlighted the excellent working relationship between the Government and the Standing Committee on Defense and their ability to access intelligence reports when needed.⁶²

An Enlarged Foreign Affairs Committee consists of the Standing Committees on Defense and Foreign Affairs, the President of the Storting, and the chairmen of the parties if they not already members.⁶³ In 2005, the composition of the Enlarged Committee was changed to include the whole Standing Committee of Defense, instead of just the leader. Although this change reinforced the close relationship between foreign affairs and defense politicians, it also reduced the possibility for politicians from other committees to take part. The total number of committee members remained the same. The Enlarged Foreign Affairs Committee is a consultation organ between the Storting and the Government. On average, it has one meeting a month, but can meet more often if necessary. In terms of the Government's foreign policy, the Enlarged Committee is the single most important committee because it concerns their ability to form and execute national foreign policy and security policy. As Anders Sjaastad, the former Minister of Defense and Representative to the Storting, points out, the Storting sees its role in the nation's foreign policy not as one that

⁶¹ Interview with the Secretary to the Defense Committee, Bjarne Syrdal, September 4, 2007.

⁶² Ibid.

⁶³ Stortinget.no., Norwegian Parliamentary History, available from http://www.stortinget.no/om_stortinget/forfatningen/parlamentarismen.html (accessed January 29, 2007).

opposes the Government, but as one that supports a united national base-line.⁶⁴ In the Enlarged Committee, the focus is on the larger issues, not the headlines in the daily news.

To most Norwegian politicians, maintaining national unity in Norway's foreign and security policies is extremely important, although the nation's relations with the European Union are and always have been an exemption. To achieve such a joint foreign policy, the so-called "national will" continues to create close connections between the political parties in the Storting and the Government. In this regard, the importance of the Enlarged Foreign Affairs Committee and the ability of the Government to discuss foreign policy matters with the Storting cannot be overestimated. All their meetings are classified SECRET, even the minutes, which are normally not available until a year later.⁶⁵ Recently, however, the necessity for such secrecy in the Enlarged Committee has been challenged, especially in regard to Norway's current participation in the global war on terror and the use of Norwegian Special Operation Forces, because internal in the Government it is a dispute concerning such forces, by the socialists are looked upon as to aggressive. However, the Norwegian SOF contribution is well supported by majority of the Storting.

Sjaastad has also addressed the post-9/11 challenges involved in separating Norwegian foreign policy from its security policy.⁶⁶ For example, the Committee of Defense handles troop contributions to NATO and the UN, and the Committee on Foreign Affairs handles both the security policy and foreign policy. Another challenge is the development of international terrorism, because of the close connections between the Justice and Defense Committees.

⁶⁴ Birgitte Fonn, Ivar Neuman, and Ole Sending, eds., Norwegian Foreign Policy Experience: Actors and Processes (Norsk Utenrikspolitisk Praksis-Aktører og prosesser), (Oslo: J.W. Cappelens forlag, 2006); C. Anders, "Sjaastad" (The Storting as a Foreign Policy Actor).

⁶⁵ Norwegian Parliamentary History.

⁶⁶ Fonn, 27.

Norway's increased participation in international politics and trade has led to a reduction in the separation between foreign affairs and other matters. However united the Government and the Storting are in regard to the foreign and security policies, the Storting can also require a minister or other government official to attend hearings. The use of the hearing instrument has increased in recent years, especially in specific cases when the Storting wants an in-depth explanation.

Although the Government has considerable authority, the Constitution grants the control of major decisions to the Storting. As described in § 26, the Government has the authority to go to war, but the Storting must validate any major treaty that will become national law.⁶⁷

On February 3, 1995, the Storting established its own permanent oversight committee, the EOS Committee, which has overarching legislative control of Norway's three security services: the Norwegian Intelligence Service (NIS), the Norwegian Police Security Service (NPSS), and the Norwegian National Security Authority (NSA).⁶⁸ The committee's main purpose is not to instruct the services in their activities; it is one of oversight, to see that the activities of the three services are executed in keeping with applicable legislation. Because it reports to the Storting, the members of the EOS Committee cannot be members of the Storting at the same time.

C. THE EXECUTIVE POWER: THE GOVERNMENT

As stated in Norway's Constitution, "The Executive Power is the King."⁶⁹ According to § 12, the King selects Government Advisers. Today, this Government consists of a Prime Minister and seventeen ministries. As described in Andenaes and Fliflet's text, the Government, on behalf of the King, is

⁶⁷ Norwegian Constitution.

⁶⁸ EOS Committee, Tasks and Mission, available from <http://www.lovdata.no/cgi-wift/ldles?doc=/all/nl-19950203-007.html&1> (accessed August 4, 2007).

⁶⁹ Norwegian Constitution.

responsible for the central government administration. The head of the Ministry and his or her political and administrative staff in the subordinate departments, directorates, agencies, and institutions handle matters that do not have the importance necessary to be handled by the Council of the State.⁷⁰

According to Norwegian constitutional customs, a minister heads all governmental elements. As part of the “checks and balances” between the Executive Power and the Legislative Power, the Storting then holds each minister responsible for the activity within his or her area of responsibility. Thus, the Minister of Defense answers to the Storting for activity carried out by the Intelligence Service; the Minister of Justice and Police is responsible for all matters related to the activity of the Police Security Service, and so on.

The Government holds two types of formal meetings: the Prime Minister hosts a Government Conference two times a week; and the Council of the State meets every Friday at the King’s castle. All cases are prepared and presented by a minister. In the Council, each of the ministers has one vote; the Prime Minister alone cannot decide the outcome. His responsibility is limited to the actions of the Government, not to actions performed by individual ministers. If a mistake occurs within one of the ministries, the Prime Minister and the Government as a whole are not held responsible. As a result, mistrust of any part of the administration by the Storting is aimed at the single minister in charge of that area. And, if a majority in the Storting vote to confirm the mistrust, the minister must resign.

This constitutional custom gives the Prime Minister the luxury of “deniability,” since he has no knowledge of any issue unless either the concerned minister has forwarded it or his office has requested it. In this way, the Prime Minister is insulated from the direct consequences of any action taken by the Executive Power.

In Norway, no one minister has responsibility for the national intelligence contribution. This responsibility is split between the Minister of Defense and the

⁷⁰ Andenes, 276.

Minister of Justice and Police. In comparison, in the United States responsibility for the intelligence community's contribution to the national decision-makers is supposed to be in the office of the Director of National Intelligence.

1. The Office of the Prime Minister (OPM)

The Office of the Prime Minister is the central office of the Council of State and the Government. It is charged with preparing, carrying out, and following up the meetings of the Council of State with the King.⁷¹

The quotation is from the Prime Minister's official Web page and the Office of the Prime Minister's tasks. The Office of the Prime Minister was originally an even smaller office than it is now, but its function has changed rapidly in recent years in keeping with the increase in Norway's focus on foreign policy.⁷² Today, the Office consists of eight state secretaries, a political staff, and an administrative staff. Altogether, it consists of sixty-five civil servants, mostly drivers for the ministers and other administrative support staff. The Department for Domestic Affairs and the Department of International Affairs have only five members each. The overall structure is shown in Figure 5. In comparison, the UK cabinet office has fifteen hundred employees, including its own Intelligence Assessment Department headed by a permanent secretary.⁷³

⁷¹ Government.no, The Office of the Prime Minister, available from <http://www.regjeringen.no/en/dep/smk/The-Office-of-the-Prime-Minister.html?id=880> (accessed July 27, 2007).

⁷² Fonn, ed., *Norwegian Foreign Policy: Actors and Processes*; Morten Udgaard; "The Office of the Prime Minister." Morten Udgaard was the State Seretary at the OPM, 1984-86, with a Ph.D. from London School of Economics in international relations in 1971. He is recognized as a well-respected journalist and editor of foreign relations in *Aftenposten*, a key conservative newspaper in Norway.

⁷³ UK Cabinet Office (of the PMIN), The Annual Report, available from <http://www.cabinetoffice.gov.uk/upload/assets/www.cabinetoffice.gov.uk/publications/reports/annualreport/2007/intro.pdf> (accessed Oct 24, 2007).

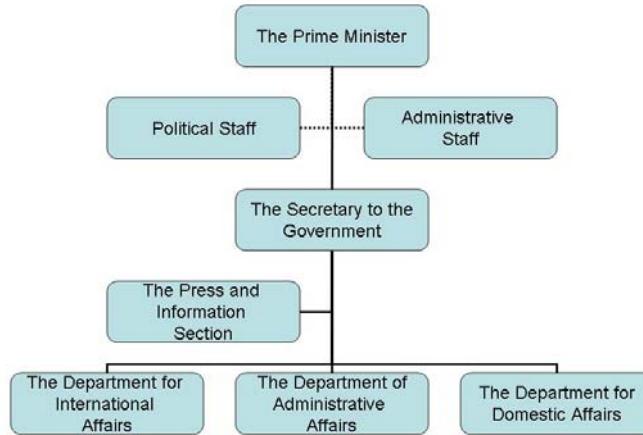


Figure 5. The Office of the Prime Minister⁷⁴

While many of the ministries have interests involving national foreign policy, the two most concerned are the Ministry of Foreign Affairs (MoFA) and the Ministry of Defense (MoD). The main function of the Department of International Affairs is more to coordinate the ministries' efforts than to be a "political dynamo."⁷⁵ Although coordination with the national foreign policy has increased in recent years, some lack of integration between the Ministry of Foreign Affairs and the Ministry of Defense is still evident.

In this regard, the author would like to draw attention to the experience of the United Kingdom in the Iraqi war. There, "the foreign policy decisions were increasingly taken at the Prime Minister's Office at 10 Downing Street, not in the Foreign Office." According to former EU commissioner Chris Patten, this led to an increased will to use military power.⁷⁶ Udgaard describes a pattern of a more active office of the prime minister now seen in a number of EU-member countries.

⁷⁴ Government.no, The Structure of the Office of the PMIN, available from <http://www.regjeringen.no/en/dep/smk/The-Office-of-the-Prime-Minister/Organisation.html?id=899> (accessed July 5, 2007).

⁷⁵ In Fonn, 52.

⁷⁶ Fonn, 55.

As Figure 5 shows, the Norwegian Office of the Prime Minister has no executing elements in its organization, whether directorates, agencies, or institutions. This is in keeping with § 2.5 of the Constitution which stipulates that the execution of the Government's politics is related to the individual minister, not the Government itself or the Prime Minister. In the constitutional context, therefore, the prime minister is not a minister *per se*, but the head of a Collegium of Ministers. Thus, according to current constitutional customs, it is unfeasible to attach any national strategic intelligence service to either the Prime Minister or his office. According to the structure of the Office, it has no formal connection to the intelligence community, neither a liaison nor an analysis element.

2. The Ministry of Foreign Affairs

This section will describe the Ministry of Foreign Affairs' role in Norway's foreign policy and review that policy's recent history.

The Ministry of Foreign Affairs' mission is to contribute to Norwegian national foreign policy, in order to secure our freedom, security, and welfare. Norway's interests are determined by our location in a strategic area, our open economy, our position as a coastal power and manager of huge marine resources, our extensive export of oil and gas . . . The MoFA is also contributing to the promotion of peace and security, an international legal system, a fair international economic order, and sustainable development.⁷⁷

Thus, for a small nation with only 4.5 million people, but a strategic geopolitical position, the main goals of the MoFA are extensive. Over the last thirty-plus years the changing governments and coalitions have supported the priorities listed in the above quotation, with an increasing effort since the breakdown of the Iron Curtain in 1989.

The Ministry of Foreign Affairs is responsible for coordinating the national foreign policy and, in this role, is recognized as a senior ministry. However, its responsibility in this regard has been challenged in recent years due to the

⁷⁷ Government.no., The Ministry of Foreign Affairs: Responsibilities, available from <http://www.regjeringen.no/en/dep/ud/About-the-Ministry/ansvarsomraader.html?id=858> (accessed July 23, 2007). The homepage was changed after our research in Norway in September 2007.

development of international relations by a number of other ministries, especially significant in the Ministry of Defense. Since the early '90s, the Government has used the military not only to protect the Homeland but also as a convenient foreign-policy tool.

Historically speaking, Norway's ambitions for colonization and imperialism were crushed in 1066 by the battle at Stamford Bridge and have never reoccurred. Thus, for centuries the country has acted primarily as an international peace negotiator. Norwegian participation in international peace talks has been especially visible in the Israeli-Palestinian conflict, most notably with the Oslo agreement in 1993; in the Balkan conflicts during the early 1990s; and in Sri Lanka in the late '90s, to name the most well known. Less known is the way the Norwegian government supported anti-apartheid organizations in South Africa, including with cash financial support during the late 1970s, '80s, and early '90s.⁷⁸

For Norwegian politicians in general it has been important to show solidarity with Third World countries, and for many years the political goal was to use more than one percent of the national budget in support of these programs. There has always been a strong will in Norway for contributing in the international struggles for peace, equality, sustainable development, and a better world. However, Norway's contribution to development programs in Third World countries has been disputed internally because their efficiency has not always been faultless. The Ministry of Foreign Affairs has increasingly used non-governmental organizations to execute support programs, both on a regular basis and during emergency crises. During the 1990s, the separation between Norway's security policy and its support of international development has

⁷⁸ Rolf Tamnes, *Oljealder, 1965-1995* (The Oil Age, 1965-1995) (Oslo: Universitetsforlaget, 1997). Tamnes's book is volume 6 of the official history of Norwegian foreign policy. Rolf Tamnes is a well-respected Norwegian historian and has written a number of articles and books. He is an Adjunct Professor in Modern history at the University in Oslo.

become increasingly blurred. As Tamnes shows, that blurring is evidenced in the creation of new terms such as “expanded security” and “expanded development support.”⁷⁹

The Ministry of Foreign Affairs, the largest ministry in Norway, was established in 1905. As Figure 6 shows, it is divided into eight departments, and 104 Foreign Service missions.⁸⁰ The departments are dually organized according to subject and region, which may seem confusing but is historically grounded. The Ministry of Foreign Affairs also has close relations to a number of research institutions. The responsibility for Norway’s foreign policy is divided among four departments. The MoFA has no counterpart to the U.S. Department of State’s Bureau of Intelligence and Research. And, as was expressed in Report #37 for 2004–05 to the Storting, the ministry has been criticized in recent years for being old-fashioned and having little flexibility.⁸¹ The MoFA has only one subordinate directorate, the Norwegian Agency for Development Cooperation (NORAD). Thus, overall, this author believe that today’s structure is not relevant to handling a subordinated “foreign intelligence service.”

⁷⁹ Tamnes, *Oljealder*, 445.

⁸⁰ Government.no., The Structure of MoFA, available from <http://www.regjeringen.no/nb/dep/ud/dep/org.html?id=857> (accessed July 29, 2007).

⁸¹ Government.no, Stortingsmelding #37 (2004-2005), available from <http://www.regjeringen.no/nb/dep/jd/dok/regpubl/stmeld/20042005/Stmeld-nr-37-2004-2005-.html?id=198889&showdetailedtableofcontents=true> (accessed July 29, 2007).

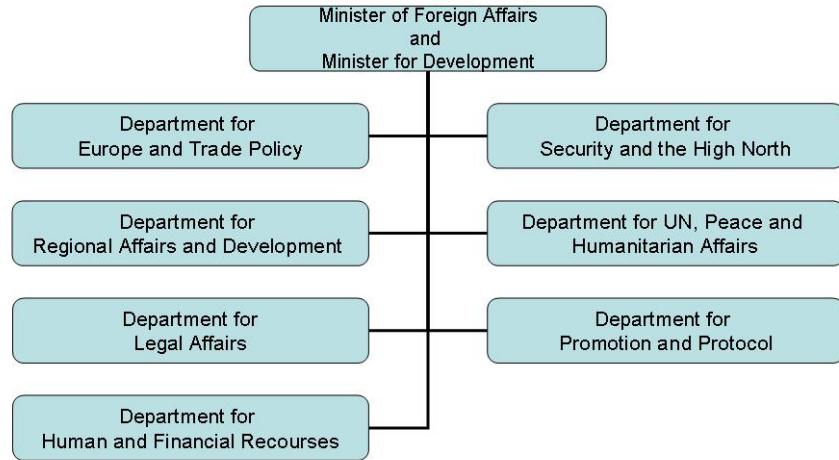


Figure 6. The Ministry of Foreign Affairs: Internal Structure⁸²

The Ministry of Foreign Affairs (MoFA) is an active player in the UN, the EU, NATO, and other multi- and bilateral forums in the international struggle against terror.⁸³ It is the primary department for handling international crises as, for example, 9/11/01 in the United States, 11/3/04 in Madrid, and 7/7/05 in London.

In the relevant available literature, there is little mention of a relationship between either the Ministry of Foreign Affairs or the Norwegian Intelligence Service and the Norwegian Police Security Service as a provider of unbiased information for ministry analysis. Nor is there any recognition of a formal organizational link between the MoFA and the NIS. Nonetheless, Foreign Affairs representatives consider the Norwegian Intelligence Service as a “foreign intelligence service,” in addition to their military responsibilities. Their relationship is assessed as relevant and sufficient. When needed, the Ministry can communicate directly with the NIS, and thus inform the Ministry of Defense. Both

⁸² Government.no., The Structure of the Minister of Foreign Affairs.

⁸³ Government.no., The Norwegian Foreign Policy to Combat Terrorism, available from <http://www.regjeringen.no/nb/dep/ud/tema/Sikkerhetspolitikk/Terrorisme.html?id=86762> (accessed May 29, 2007).

the NIS and the NPSS contribute to MoFA country studies.⁸⁴ These direct communications, when approved by the Defense Ministry, are in accordance with the Royal Instructions for NIS.⁸⁵

To assist the Minister of Foreign Affairs if a foreign crisis should occur, a Readiness Committee was established. Though headed by the Ministry of Foreign Affairs, the committee has representatives from the Office of the Prime Minister; the Ministries of Defense, Justice, and Health Care; the Norwegian Directorates of Police, Police Security Services, and Intelligence Services; and the Directorates for Civil Defense and Emergency Planning and of Customs and Excise. The frequency of meetings depends on the occurrence of international crisis events such as the 2004 Madrid terrorist attacks.

3. The Ministry of Defense

This section will describe the Ministry of Defense's role in Norway's national security and defense policies and the historical relationship between the Ministry of Defense and the Ministry of Foreign Affairs.

The Ministry of Defense forms and implements Norway's security and defense policies. It has an overarching responsibility to instruct and control subordinate agencies' activities . . . Every forth year the ministry makes a report to the Storting that outlines the long-term development of Norwegian defense. The report also analyzes the security policy and lays out the armed forces' roles and missions as the most important instrument of the Norwegian security policy.⁸⁶

In 1990, after the end of the Cold War, for a nation with a relatively small population, Norway had a significant armed force, although one that functioned mostly as mobilization forces. At the time, they were focused primarily on providing a defense against an attack from the USSR on either Norway or

⁸⁴ Interview with Senior Adviser Jon Erik Stroemo at the MoFA, September 3, 2007.

⁸⁵ Royal Instructions for NIS, §16, available from <http://www.lovdata.no/cgi-wift/ldles?doc=/sf/sf/sf-20010831-1012.html>. (accessed August 5, 2007).

⁸⁶ Government.no, MoD Responsibilities, available from <http://www.regjeringen.no/en/dep/fd/The-Ministry/ansvarsomraader.html?id=405> (accessed July 23, 2007).

another NATO country in keeping with the Warsaw Treaty. During the past fifteen years, however, the Norwegian Armed Forces underwent a dramatic change and downsizing. As a result, the army is now down to less than two brigades. This restructuring and a general change in the global political environment led to a related change in the focus of the Ministry of Defense. According to Graeger and Neumann, the changes challenged the historical structure that had subordinated Norway's defense policy to its foreign policy.⁸⁷ Deciding which ministry would have the greatest focus and effect on the security policy has often depended on the minister. However, today, the Department of Security Policy in the Ministry of Defense is bigger than its counterpart in the Ministry of Foreign Affairs.⁸⁸ A civilian director-general heads the Department of Security Policy and has close ties through the Chief of Defense to the Norwegian Intelligence Service. On the political side, however, unlike their counterparts in the United States, no direct or formal ties exist between the political staff and the Norwegian Intelligence Service. Thus, in Norway, for example, there is no Undersecretary of Defense for Intelligence.

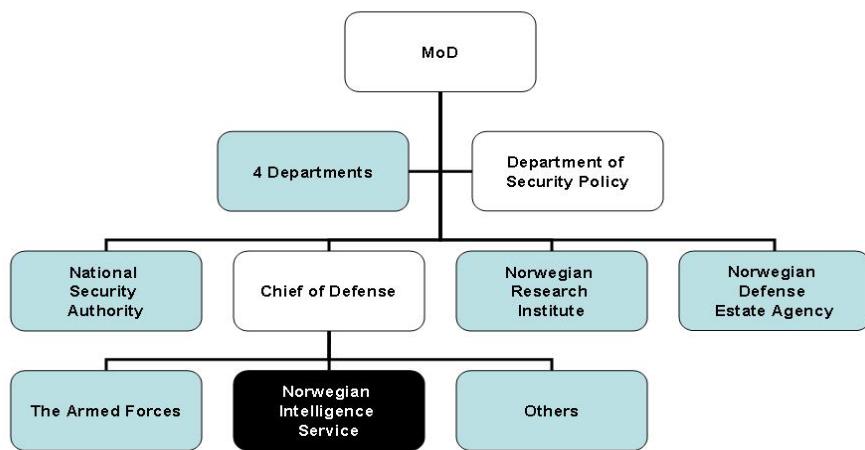


Figure 7. The Ministry of Defense: Main Structure

⁸⁷ Fonn; Nina Graeger, and Ivar Neuman, "MoFA and MoD as Political Decision-making Actors." Neumann is Adjunct Professor at the University in Oslo and a well-respected researcher, both in Norway and internationally. Graeger presented her doctoral dissertation on the internationalization of the Norwegian defense, August 17, 2007.

⁸⁸ Fonn, 76.

Reorganizing the Armed Forces meant in effect a reorganization of the entire strategic structure. In 2002, for instance, the Storting decided to reduce the size of both the Ministry of Defense and the Defense High Command and to merge the two elements into a new integrated defense ministry. As the MoD Web site puts it, "The Ministry of Defense represents the political management and is responsible for the *shaping* and execution of the Norwegian security and defense policy."⁸⁹

The Chief of Defense is both the senior adviser to the minister and the head of Norway's Armed Forces, for which he is assigned a Defense Staff. During the merger into an integrated defense ministry, the Security and Policy Department in the Ministry of Defense was reinforced. Obviously, the decision that the Ministry of Defense will contribute to the shaping of Norway's security policy is both ambitious and taken very seriously. The merging of the former Joint Defense High Command into the MoD also made the Chief of Defense less visible as the head of the Armed Forces, and his staff is now seen mostly as administrative in function.

The quote from the MoD Web site illustrates not only a potential for conflicts of interest between the Ministry of Defense and the Ministry of Foreign Affairs, but also a significant change of roles for the Armed Forces overall. The Armed Force, once the key actor in the defense of Norwegian territory, as stipulated by Norway's defense policy, is now largely an actor in foreign policy. Not surprisingly, such major shifts have had an impact both on the internal structure of the Ministry of Defense and on its ambitions and goals for the future.

Since the mid 1990s, the defense ministry has limited its international military engagement mostly to U.S.-led NATO operations in as few locations as possible. This policy has been justified mainly by the economics involved and by the need to operate with partners committed to assisting Norway in turn if a

⁸⁹ Minsitry of Defense: Area of Responsibilities, available from <http://www.regjeringen.no/nb/dep/fd/dep/ansvarsomraader.html?id=405> (accessed October 24, 2007).

military crisis should occur there. The Ministry of Foreign Affairs, however, takes a different view. It considers the use of Norway's military forces as a function of UN operations in as many locations as possible. So far, it is the defense ministry's view that has been executed.⁹⁰

The disappearance of any distinction being made between peace and situations other than war has periodically created new tension between the Ministry of Defense and the Ministry of Justice and Police concerning both their tasks and their funding. The Directorate of Police in the Ministry of Justice and Police used the media to promote a transfer of tasks and funding from the defense ministry to the Ministry of Justice. However, by 2007, most of the challenges at the political and senior levels had been sorted out, and relations between the ministries were characterized as constructive and efficient.

The improved relations were evidenced in March of that year by a joint article by the Minister of Defense and the Minister of Justice and Police in *Dagbladet*, Norway's third largest newspaper, which self-identifies as a liberal paper.⁹¹ Although the heading, "Intelligence in Our Time," was almost the same as one published by Professor Riste in December 2006, it focused primarily on the appropriate relationship between Norway's two main intelligence agencies, the Intelligence Service and the Police Security Service. That same day, a plan for a joint analytical element between the two services was introduced at a joint press conference. As explained in the *Dagbladet* article,

It is exactly this difference [between the NIS and the NPSS] that makes it more important to cooperate for an optimal utilizing of the resources. The threat is more diffuse than ever, and frequently we cannot see what the border between internal and external [intelligence] veils.⁹²

⁹⁰ Boerresen, 234.

⁹¹ Anne-Grete Strøm-Erichsen, and Knut Storberget, "Etterretning i vår tid" (Intelligence in Our Time), *Dagbladet* (March 9 2007), available from http://www.regjeringen.no/nb/dep/jd/dep/Justisminister_Knut_Storberget/taler_artikler/2007/Etterretning-i-var-tid.html?id=456975 (accessed March 12, 2007).

⁹² Strøm-Erichsen and Storberget.

The Ministry of Defense regulates the focus of the Norwegian Intelligence Service through an annual classified publication.⁹³ Some have argued that the document should be coordinated with the whole Government and should indicate the total national intelligence needs for the coming year. As it stands at present, the Minister of Defense gives the document to the Chief of Defense as instructions, which the Chief then executes through the NIS. It is not known how this fulfills the needs of the other ministries involved in Norway's foreign and security policies.

In any event, it is the main task of the High Level Council, the Høynivågruppen, to ensure that information collected by the Intelligence Service also supports other important governmental needs. The membership of the Council, headed by the Secretary General of the Ministry of Defense, consists of the Secretary Generals of the Office of the Prime Minister and the Ministries of Foreign Affairs and Justice and Police, the Chief of Defense, and the Director of the Norwegian Defense Research Institute.⁹⁴

Between the Minister of Defense and the Intelligence Service there is an NIS Coordination Committee (Koordineringsutvalget for Etterretningsstjenesten, or K-utvalget), headed by the Ministry Secretary General. Among the members are the Director of NIS, the Chief of Defense, and a representative from the General Accounting Office. In addition to overseeing the activities and finances of the NIS, the committee also considers issues to be introduced to the Government Security Council.⁹⁵

⁹³ Royal Instructions for NIS, §12.

⁹⁴ Odeltingsproposisjon #50 (1996-97), Remarks to the Public Act of Intelligence: MoDs remarks to the proposal to the Storting, available from <http://www.regjeringen.no/nb/dep/fd/dok/regpubl/otprp/19961997/Otprp-nr-50-1996-97-.html?id=158595> (accessed February 26, 2007).

⁹⁵ Odeltingsproposisjon #50 and Document #15, The Lund Commission, 495-498.

The Ministry of Defense has a total budget of NKR 30.989 billion, about US\$ 5.17 billion.⁹⁶ Over the last ten years the budget has remained relatively constant, which has resulted in a significant down-sizing of the Armed Forces.

4. The Ministry of Justice and Police

Historically, the Ministry of Justice and Police was not seen as an actor in formulating Norway's foreign policy. But the great changes in the international political environment since 1990 have influenced and affected this. The next section will describe the role that the justice and police sector now have in the decision-making process concerning Norway's foreign policy, including the security services' support.

The national budget (Stortingsproposisjon #1, or St.prop 1) for the Ministry of Justice indicates the Ministry's main focus and the relevant issues involved in achieving its goals.

Main goal: To increase the security of Norwegian society:

- Increase the society's ability to prevent crises, disasters, and deficiencies in its critical functions
- Increase the society's ability to handle extraordinary situations that can cause risks for individuals, the environment, and material damage
- Oversee the maintenance of Norway's security and independence and protect the substantial interests of the society⁹⁷ as a whole.

Within the Ministry of Justice are a number of subordinate departments, directorates, and agencies that execute its policies. The most significant are shown in Figure 8.

⁹⁶ Stortingsproposisjon #1, The Budget for the MoD for 2007, available from <http://www.regjeringen.no/nb/dep/fd/dok/regpubl/stpp/20062007/Stpp-nr-1-2006-2007-.html?id=298194> (accessed July 31, 2007).

⁹⁷ Stortingsproposisjon #1, The Budget for MoJ for 2007, available from <http://www.regjeringen.no/nb/dep/jd/dok/regpubl/stpp/20062007/Stpp-nr-1-2006-2007-.html?id=298316> (accessed July 31, 2007).

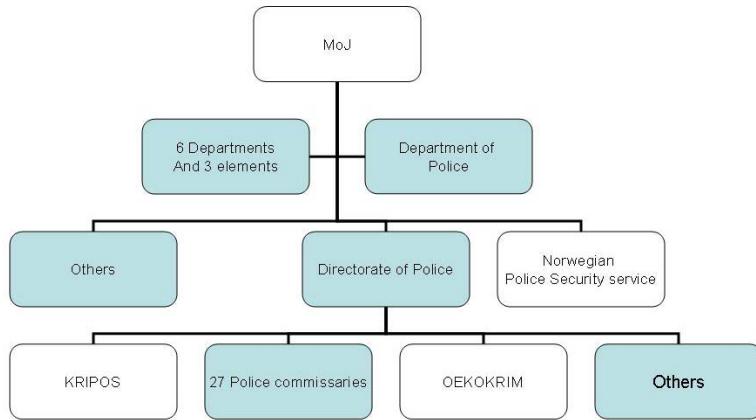


Figure 8. Ministry of Justice and Police: Main Internal Structure

In Norway, the national police agency responsible for fighting organized and other more serious crime is KRIPOS. The agency responsible for investigating and prosecuting economic and environmental crime is OEKOKRIM.⁹⁸ At present, due to the development of border-crossing crime and the connection between crime and terrorism, the police agencies have an increasing relationship with the Norwegian Police Security Service (NPSS). Unlike the United States, in Norway, fighting domestic terror is seen as a part of fighting crime. Thus, the Ministry of Justice and Police has the superior responsibility both for domestic preparations against terror and for combating it. Previous challenges between ministries include the overarching command relations of the military and law enforcement authorities in situations in which war has not been declared and support from the Armed Forces to handle crises. According to the revised Royal Instructions of 2003, these areas were improved through restructuring and few problems are now seen.⁹⁹

⁹⁸ Stortingsproposisjon #1, MoJ, 94.

⁹⁹ Royal Instructions: Regulations concerning the Norwegian Armed Forces support to the Police, FOR 2003-02-28 nr 220 (Instruks om Forsvarets bistand til politiet), available from <http://www.lovdata.no/cgi-wift/ldles?doc=/for/ff-20030228-0220.html> (accessed February 15, 2007).

To assist in its handling of terrorism and sabotage, the Ministry of Justice and Police has a Consultative Council (Den Rådgivende Stab) for support. The Council, headed by the Director General of the Police Department, consists of representatives from the Ministry of Defense, the Norwegian Police Security Service, the Chief of Defense, and others when necessary.¹⁰⁰ Today, the local Commissioners of Police – as of 2007, there were twenty-seven – have the overall responsibility to execute operations in their districts, including handling terror-related activity. The Norwegian Armed Forces assists the police when required by the local Police Commissioner via the Ministry of Justice to the Ministry of Defense.

No similar intelligence instruction document exists between the Ministry of Justice and the Police Security Service for the latter's effort as viewed by the Ministry and the Chief of Defense or the Chief and the Intelligence Service. However, the Security Service receives its directions in a yearly letter of instruction as part of the yearly budgetary process.¹⁰¹ For 2007, the Ministry of Justice had a budget of NKR 16.6 billion, or US\$ 2.75 billion.

5. The Ministry of the Treasury

Although at present, the relationship is not significant, this author believe that the Ministry of the Treasury will have an increasing role in and connection with the intelligence community in the future, and thus include it in the thesis. For our purposes, the Treasury's most significant role, given its contribution to the National Budget for 2007 (Stortingsproposisjon #1), is its "contribution to the fight against tax evasion and other economic crimes."¹⁰² This aspect of the Treasury

¹⁰⁰ NOU:24, 26.

¹⁰¹ E-mail to the author from Senior Adviser Atle Tangen, NPSS, October 17, 2007.

¹⁰² Regjering.no., Stortingsproposisjon nr 1 (2006-2007), The National Budget for 2007, MoT, available from <http://www.regjeringen.no/Rpub/STP/20062007/001FIN/PDFS/STP200620070001FINDDDPDFS.pdf> (accessed Aug. 1, 2007).

is also emphasized in a Ministry of Foreign Affairs document, the Foreign Policy Strategy for Combating Terrorism, in which terrorism financing is an important issue.

While the Norwegian Treasury has a number of subordinate agencies, for example, the Directorate of Customs and Excise, it has no counterpart to the U.S. Department of Treasury's Terrorism and Financial Intelligence department.

6. Other Ministries

The Norwegian Government includes thirteen other ministries, in addition to those already discussed. Those most relevant to the thesis are:

- The Ministry of Fisheries and Coastal Affairs, which oversees the extensive Norwegian economic zone.
- The Ministry of the Environment which is concerned with issues such as: nuclear proliferation and waste, and pollution challenges in relation to the neighborhood of Russia, and the political will to be an actor in international sustainable development.
- The Ministry of Petroleum and Energy, which is of extreme importance, given that Norway is a significant producer of oil and gas, with huge development interests around the world.

7. Other Key Supporters of the Government Decision-making Process

a. *The Government Security Council, or GSC (Regjeringens sikkerhetsutvalg or RSU)*

The GSC consists of the Prime Minister and the Ministers of Foreign Affairs, Defense, Justice and Police, and Treasure.¹⁰³

¹⁰³ No further details known.

**b. The Committee for Coordination and Advice, or CCA
(Koordinerings-og rådgivingsutvalget, or KRU)**

The establishment of the Committee for Coordination and Advice in 1977 formalized relations between the Norwegian Intelligence Service, the Norwegian Police Security Service, and the Norwegian Security Authority. The Royal Instruction of December 20, 2002, was last revisited in 2004.

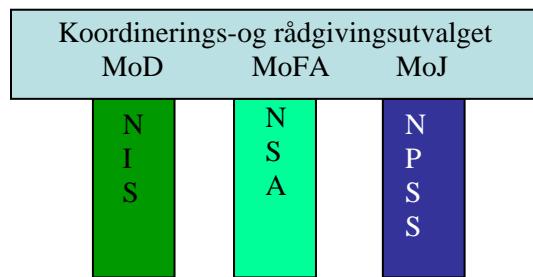


Figure 9. The Committee for Coordination and Advice

According to the establishing Act, the CCA is an advisory body to the key ministers. As Figure 9 shows, it consists of a senior government official from the Ministries of Foreign Affairs, Defense, and Justice and the directors of the three secret services. The CCA's main task is "to execute over-arching coordination between the three services, their tasks, priorities, and goals, together with analyzing and reporting on challenges related to the threat assessment."¹⁰⁴ The CCA has a permanent secretariat that rotates between the Ministries, and does not execute any intelligence analysis itself. It is reasonable to compare the CCA to the U.S. Joint Intelligence Community Council, although it does not have the same widespread missions. Representatives from the Ministries of Foreign Affairs and Justice and the Intelligence Service have said that the Committee is a well-working support element.¹⁰⁵

¹⁰⁴ Royal Instruction for the Committee for Coordination and Advice, available from: <http://www.lovdata.no/cgi-wift/ldles?ltdoc=/for/ff-20021220-1699.html> (accessed August 4, 2007).

¹⁰⁵ Interview with Senior Adviser Jan Erik Stromo in MoFA, Special Adviser Sigbjørn Saloer in MoJ, and Head of Section Sigve Oakland in NIS, in Oslo, Norway, 2007.

In Norway, there is no unified requirement or priority document covering all the intelligence services, and no agency, department, or institution has been tasked to prepare one. When the tasking in the respective Public Acts and Royal Instructions do not cover some aspect, the CCA is the agency that is supposed to monitor such coordination.

c. *Afghanistan Forum*

This is a cross-ministry forum for the Secretaries of the Ministries of Foreign Affairs, Defense, and Justice, and the Office of the Prime, where the common challenges to Norwegian interests in Afghanistan can be discussed. A similar forum focused on Norwegian interests in Sudan is currently in the planning stages.¹⁰⁶

D. STRATEGIC INTELLIGENCE ACTORS

1. The Norwegian Intelligence Service

a. *History*

Creation of a Norwegian strategic intelligence service began in London during the Second World War. During the summer of 1940, when the Norwegian government was established in exile in London, an intelligence bureau was attached to the Ministry of Foreign Affairs. At the end of that year, the intelligence activities were transferred to a similar bureau in the Ministry of Defense, and “A fully fledged military intelligence service began to be build up from the winter of 1942.”¹⁰⁷

In 1942, the Norwegian Joint Defense High Command was implemented. Consequently, the defense ministry’s intelligence unit merged with the existing military effort to form what was then called “the Second Bureau of the

¹⁰⁶ Espen Barth Eide (August 31, 2007), Challenges in the Norwegian Defense Policy, speech to the Total Defense course, August 31, 2007, available from http://www.regjeringen.no/nb/dep/fd/dep/politisk_ledelse/Statssekretær_Espen_Barth_Eide/taler_artikler/2007/Utfordringer-i-norsk-forsvarspolitikk-.html?id=481025 (accessed September 17, 2007).

¹⁰⁷ O. Riste, *The Norwegian Intelligence Service 1945-1970* (London: Frank Cass), 2.

Defense High Command (FO II). The merger was motivated especially by the government's need for reliable information from occupied Norway and its decision to contribute to the Allied war effort against the Germans. The Norwegian government's "will" to keep Norway's intelligence assets under its control was important both for the exile government in London and later governments as well.

It was Colonel Roscher Lund, who was the current director of intelligence, who recommended in 1946 that two separate intelligence organizations be established, one within the military structure and one directly subordinate to the Minister of Defense. The latter was justified by the estimated need to support three ministries – Foreign Affairs, Defense, and Justice – in addition to routine military demands. That same year, Col. Lund left office to support the Norwegian UN Secretary General, Trygve Lie. And, as the end of the Second World War in 1945 gave way to the so-called Cold War, Norway's proximity to the USSR justified a very considerable growth in its intelligence services.

Over the years, the Norwegian Intelligence Service has experienced a number of investigations and minor reorganizations. One occurred in a two-year period, 1989–1990, directed by the Karstad Commission, headed by Arne Karstad, the State Secretary to the Ministry of Defense at the time. Their report is classified *Top Secret* (NOFORN), however, and thus not accessible.¹⁰⁸ But according to a recent book (2204) G. Boerresen's *Norwegian Defense History*, the commission studied the intelligence services' "procedures, organization, and management" and "suggested that a non-military intelligence service was given the highest priority." Due to an "increasing awareness concerning the vulnerability of the society," the report concluded "that the civil part of the government – which had little experience in the utilization of

¹⁰⁸ Boeressen, G. Gjeseth, and R. Tamnes, *Norsk Forsvarshistorie* (Norwegian Defense History) (Bergen: Eide Forlag 2004), 404.

intelligence – would [also] need such support.”¹⁰⁹ That was an interesting conclusion, given that the report was made just after the collapse of the Iron Curtain, and thus before the rise of the terrorist threat and today’s challenges. For the next sixteen years, there was little discussion in the media concerning the use of intelligence to inform and support civilian decisions.

In the post-WWII era (1947–1967), the relation between the Norwegian Intelligence Service and the Police Security Service became increasingly strained. The Director of the NPSS even wrongly arrested the secretary to the Director of the NIS. In the late sixties, both directors were replaced, and relations between the agencies became more constructive and positive.

Prior to 1965, Norway’s national security (i.e., military) matters were handled by the Norwegian Intelligence Service. But in 1965, a Security Staff was established as an independent unit of the Joint Defense High Command. This organization will be described in a later section.

b. Legislation and Objectives

In 1996, another report, this time by the Lund Commission ended the period with investigations and accusations of all three secret services.¹¹⁰ As a result, in 1998, the Storting passed the Public Act for the NIS, which covers times of peace and an “absence of war,” but can in wartime be adjusted accordingly. Although the NIS is a military intelligence service, the Public Act was intended to make it serve also as a foreign intelligence service with certain specific goals:

The NIS shall collect, evaluate, and analyze information concerning Norwegian interests in relation to foreign countries, organizations, and individuals. With this platform, it will compile threat warnings and intelligence estimates, to the extent it can contribute to securing the vital interests of the society, including:

¹⁰⁹ Boeressen, 277. This is the only known reference to the Karstad report.

¹¹⁰ Document #15 to the Norwegian Parliament.

- the shaping of Norwegian foreign, defense, and security policies
- the obtaining of information about international terrorism
- the obtaining of information about border-crossing environmental challenges
- the obtaining of information concerning proliferation of weapons of mass destruction¹¹¹

The Public Act was followed by a Royal Instruction in 2001 which stated:

The MoD, through the Chief of Defense, gives tasks, executes the daily contact and cooperation with, and executes political guidance and control with NIS. . . . The MoD can establish procedures to ensure communication and cooperation with other ministries and institutions that require information obtained from the Service.¹¹²

The organization charts of the NIS, which have developed through the years are shown in Figure 10, which shows how the collection of intelligence is separated from analysis and reporting. The NIS produces all-source products, compiled from different collection assets, in contrast to the UK, where this is done in the UK Joint Intelligence Cell (JIC) at the Cabinet Office.

In Norway, the technical collection and evaluation of data is organized within the NIS and subordinated to the Chief of Defense. In the United States, the NIS technical and collection counterpart, the Norwegian National Security Agency, is organized as an independent agency subordinated directly under the Secretary of Defense. In the UK, the British NIS counterpart, the Government Communications Headquarters, is an independent agency subordinated to the Foreign and Commonwealth Secretary (Minister of Foreign Affairs).

¹¹¹ Public Act for the Norwegian Intelligence Servic (LOV 1998-03-20 nr 11; Lov om Etterretningstjenesten), §3, available from <http://www.lovdata.no/all/hi-19980320-011.html> (accessed Feb. 19, 2007).

¹¹² Royal Instruction for NIS, §16.

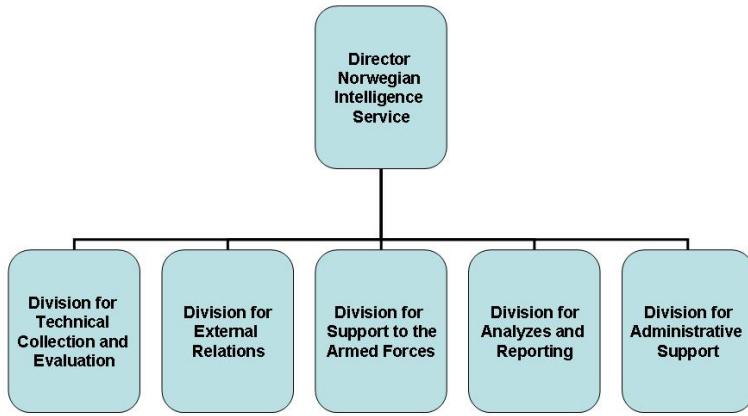


Figure 10. Organization Chart - NIS¹¹³

As for the agency responsible for human collection of information, in Norway this aspect is organized within the NIS. In the United States, it is the responsibility of the Central Intelligence Agency, subordinated to the President's National Security Council. In the UK, it is handled by the Secret Intelligence Service, which is subordinate to the Foreign and Commonwealth Secretary, comparable to the Norwegian Minister of Foreign Affairs.

Since 1996, Norway's contribution to U.S.- and NATO-led operations has resulted in increased demands on the Intelligence Service to support those tactical military operations. This increase was implemented according to the Royal Instructions.¹¹⁴ At present, because of the increase in its military involvements, Norway, like many other countries, is experiencing a high level of political and public concern for the well-being of the troops. Given that context, some argue that whatever detailed question the Prime Minister asks concerning individual soldiers, it is a more general "strategic" question that will

¹¹³ Described in *Aftenposten*, and confirmed in an E-mail from NIS to the author November 7, 2007.

¹¹⁴ Royal Instruction for NIS §9.

attract the attention of the strategic intelligence agencies. This author will argue that such questions should be handled at a lower level, and within the military services.

Today, the NIS is an integral part of the Defense Chief's assets and therefore is included in all campaign planning. However, it is unclear whether the emphasis on tactical focus tends to draw resources away from the strategic support element. In respect to the military's tactical needs, it is noteworthy that during the last few years the different services have improved their collection and analytical capabilities significantly. Tactical intelligence is now given high priority in the overall structure of the armed forces.¹¹⁵ In an interesting article about the reorganization of the U.S. intelligence community, Larry Kindsvater has recently pointed out the challenge facing countries to balance intelligence resources between strategic and tactical needs.¹¹⁶

Norway's Intelligence Service budget has been restructured several times. According to current records of the national budget for 2007, the NIS was allocated NKR 851 million (US\$ 142 million), about 2.7 percent of the entire defense budget. This percentage allotment has remained relatively stable since 2001.¹¹⁷

c. *The NIS: General Information*

Cooperation between the Norwegian Intelligence Service and the Norwegian Police Security Service has become increasingly close in the post-9/11 era. In October 2006, the government passed Royal Instructions for

¹¹⁵ Ministry of Defense, The Further Modernization of the Norwegian Armed Forces, 2005–2008 (Stortingsproposisjon nr 42, 2003–2004), approved by the Council of State, March 12, 2004), 56.

¹¹⁶ Larry Kindsvater, "The Need to Reorganize the Intelligence Community," in R. George, ed., 59.

¹¹⁷ Stortingsproposisjon #1, The National Budget for MoD for 2001 and 2007, available from <http://www.regjeringen.no/nb/dep/fd/dok/regpubl/stprp/20062007/Stprp-nr-1-2006-2007-.html?id=298194> and http://www.regjeringen.no/nb/dep/fd/dok/regpubl/stprp/20002001/st-prp-nr-1_2000-2001/7.html?id=203692 (accessed July 31, 2007).

extended cooperation between the two services.¹¹⁸ On March 9, 2007, government recognition of the vanishing separation between internal and external terrorist and terror-related activities was publicly acknowledged in a joint op-ed article in the newspaper, *Dagbladet*, by the Ministers of Justice and Police and Defense,¹¹⁹ and by a press conference held at NIS headquarters same day.¹²⁰ There, the ministers also presented plans for a future joint anti-terrorism analytical center.

2. The Norwegian Police Security Service

a. *History*¹²¹

The pioneers of today's Norwegian Police Security Service began in the capital, Oslo, in 1936–1937. Their first Royal Instruction from the Ministry of Justice and Police was given in 1937 and focused mainly on counterintelligence.

The Service, dormant during the years of Norway's German occupation, reemerged in 1947, with the growing threat from the Communist bloc. The USSR's joint border with Norway meant an increase in Russian espionage.

As international terrorist activity swelled in Europe during the seventies, both from the extreme left and the extreme right, the NPSS redirected some of its resources in response. During the nineties, other areas of focus arose: weapons of mass destruction and nuclear proliferation. At present and for

¹¹⁸ Royal Instructions for cooperation between NPSS and NIS (FOR 2006-10-13 nr 1151: Instruks om samarbeid mellom Etterretningstjenesten og Politiets sikkerhetstjeneste), available from <http://www.lovdata.no/cgi-wift/ldles?doc=/sf/sf/sf-20061013-1151.html> (accessed May 30, 2007).

¹¹⁹ Knut Storberget and Anne-Grete Stroem-Erichsen, *Intelligence in Our Time*.

¹²⁰ Government.no., Minister of Justice and the Police, press release no.24, published March 9, 2007: "Closer relations between NSP and NIS" (Tettere samarbeid mellom PST og Etjenesten), available from <http://www.regjeringen.no/en/dep/jd/Press-Center/pressemeldinger/2007/Tettere-samarbeid-mellom-PST-og-E-tjenes.html?id=456976> (accessed May 30, 2007).

¹²¹ PST.POLITIET.NO; The history of NPSS. Available from <http://www.pst.politiet.no/default3.aspx> (accessed Oct 23, 2007).

the near future, the Police Security Service's top priority will be its contribution to the fight against international terrorism.

In the final years of the 1990s and the early years of 2000, the NPSS went through a turbulent time, which led to some restructuring. It has its main office, the Central Organization, in Oslo, and is supported by local offices collocated and led by local police commissioners. Over the years, various organization charts were developed.

The NPSS has been the subject of numerous government accusations, which terminated with the Lund commission. As was the case with the Norwegian Intelligence Service, during the last ten years, the Police Security Service has been the focus of new legislation. One result was that it experienced a major reorganization, that took effect in January 2002.

b. Legislation and Objectives

Part of the Lund Commission's investigation centered on the Norwegian Police Security Service's history. Since the Norwegian Intelligence Service was defined and regulated by a singular Public Act, many thought that the NPSS should be also. However, that did not occur. Instead, the Public Act for the Police Force (Politiloven) was changed to accommodate the NPSS's restructuring.¹²² A Royal Instruction emphasizing the tasks stipulated in the Public Act followed, which stated:¹²³

The Norwegian Police Security Service shall prevent and investigate:

- Illegal intelligence activity

¹²² Changes in the Public Act for the Police Force concerning the Police Security Service (Lov om endringer i politiloven mv; Overvåkingstjenestens oppgaver mv), available from <http://www.lovdata.no/cgi-wift/ldles?ltdoc=/all/nl-20010615-054.html> (accessed August 5, 2007), §17.

¹²³ Royal Instruction for NPSS, available from <http://www.lovdata.no/cgi-wift/ldles?ltdoc=/for/ff-20050819-0920.html> (accessed May 30, 2007).

- Proliferation of WMD and equipment and technology for their production
- Sabotage and politically funded violence

The Ministry of Justice will decide if the NPSS shall be given responsibility for fighting organized crime, crimes against humanity, genocide, and aggravated war crimes.

The Central Organization of the NPSS shall:

- develop threat warnings for use by Norway's political decision-makers
- cooperate with the police, security, and intelligence services of foreign countries.

Figure 11 shows the internal structure of the NPSS today. Like the NIS, the NPSS is both a collection service and an analysis and reporting service.

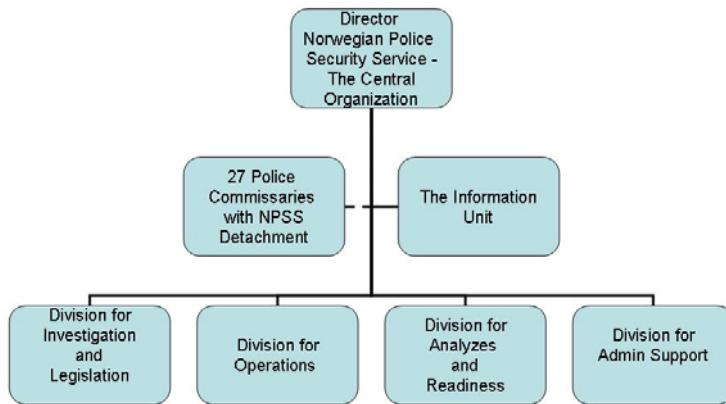


Figure 11. Organization chart - NPSS¹²⁴

¹²⁴ PST.POLITIET.NO, NPSS Management, available from <http://www.pst.politiet.no/PST/Templates/EmployeeList136.aspx> (accessed October 25, 2007).

It is not possible to extract the budget of the NPSS from the national budget. However, in 2006, the Minister of Justice and Police announced that, for 2007, the Central Organization of the NPSS was allocated NKR 260 million (US\$ 43.3 million).¹²⁵

c. *The NPSS: General Information*

Although the police force in Norway is generally seen as a law enforcement agency, the Police Security Service has more extensive tasks. It is a special police service directly subordinate to the Ministry of Justice and Police. The NPSS also has expanded tools that increase its ability to fight terrorism and to execute its intelligence-gathering responsibilities.¹²⁶ The Service produces two annual reports of threat warnings, a classified version for the Minister of Justice and Police, and an unclassified version for the public. In addition to the yearly threat warnings, others are made on occasion, depending on national and international situations. In contrast to what occurs between the Ministry of Defense and the Intelligence Service, no document covering intelligence priorities connects the Ministry of Justice and the Police Security Service. In the United States, the NPSS counterpart is the FBI and the Department of Homeland Security; in the U.K., it is the Security Service.

3. The Norwegian Security Authority (NSA)

The forerunner of the Norwegian Security Authority was the Security Staff within Norway's Joint Defense High Command. In January 2003, the NSA was established as an independent government directorate within the Ministry of Defense. It also has a professional responsibility to the Ministry of Justice and

¹²⁵ E-mail from the Norwegian Police Security Service to the author, August 3, 2007. This is the first time NPSS figures were made public.

¹²⁶ Public Police Act, August 4, 1995, Chap. IIIA, NSP, The Organization, Missions, and Preemptive Use of Forceable Means, available from <http://www.lovdata.no/all/tl-19950804-053-005.html> (accessed May 30, 2007).

Police. The NSA was the third Norwegian security service to be established.¹²⁷ Its focus is preventive security for the government and its institutions. The NSA will not be discussed further in this thesis.

E. SUMMARY

This chapter has described the key actors in Norway's decision-making process and their strategic intelligence support agencies. We have focused on the government's foreign and security policies and the links between it and the strategic intelligence actors, as shown in Figure 12.

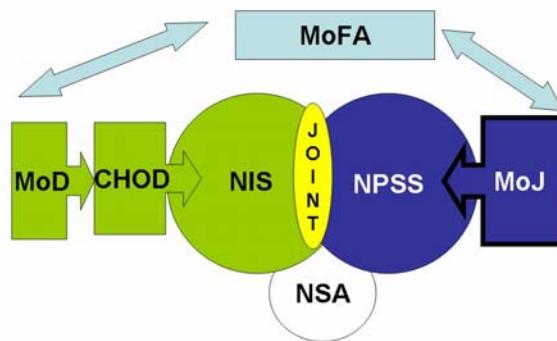


Figure 12. Interrelationship between Norway's Executive Power and the intelligence services

To understand the Norwegian political environment, it is important to see the close interrelationship between the legislative power, the Storting, and the executive power, the Government. Generally, the Government presents and discusses major challenges in the nation's foreign policy with the Enlarged Foreign Affairs Committee in the Storting to obtain majority support. This general practice does not prevent them, however, from having intense discussions about particular policy concerns.

Communication between the Storting and the Government administration is conducted by individual ministers. To address any of the various institutions

¹²⁷ Norwegian Security Agency official website, <http://www.nsm.stat.no/> (accessed August 4, 2007).

and agencies, the Storting address the appropriate minister. To date, apparently, the Storting has seen no need for a Standing Committee on Intelligence.

Coordinating Norway's foreign policy is a challenge, especially now that it increasingly also influences domestic policies. There will probably always be a conflict of interest concerning influence between the ministries and personalities in the Government, especially in a coalition government. However, a country's foreign policy must be well coordinated by the government, as this author assess Norway's is, for the main part. This author will however, argue that the importance of the Office of the Prime Minister and the Ministry of Foreign Affairs should be more significant, at the expense of the other departments.

Norway's intelligence community is small, consisting of only three services, of which only two are collection and analysis agencies. This structuring makes the Norwegian intelligence community more transparent than, for example, that of the United States. There is no civilian intelligence agency and no one minister or institution is responsible for providing national intelligence support for the government. The Norwegian Intelligence Service is part of the Norwegian Armed Forces, instead of being directly subordinate to the Minister of Defense, which make its connection to the government somewhat more distant. In Norway, neither the Prime Minister nor his Office has an intelligence body connected to it to ensure a direct connection between the executive power and its intelligence supporters, as is the case for the U.S. President and the UK's Office of the Prime Minister,

Today, relations between the strategic intelligence actors can be characterized as constructive. However, their respective legislations give no instruction concerning regulation of their quality or fulfillment of their given tasks.

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IV. NORWAY'S FOREIGN POLICY

This chapter will describe Norway's foreign policy, the threats the country faces, and the reasons the intelligence services should be more essential actors in the decision-making process.

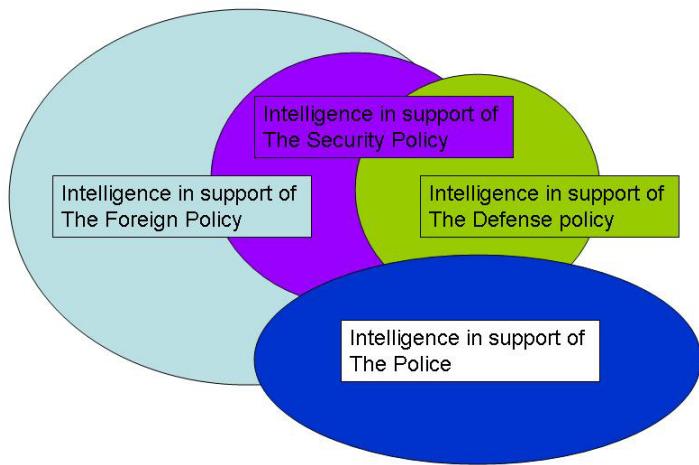


Figure 13. The inter-intelligence relations

Figure 13 illustrates the integral role of Norway's security affairs in its foreign policy. Figure 14 shows the various ministries that are involved in forming and implementing the nation's foreign policy. Although its national defense strategies are an essential part of Norway's security policy,¹²⁸ there are other ministries also involved. A key actor in a nation's security is, of course, the police. However, the Norwegian police need for intelligence pertaining to investigation and prosecution is outside the policy domain.

¹²⁸ Espen Barth Eide, speech to the Total Defense course August 31, 2007, "The Security Policy Has to Control the Defense Policy," available from http://www.regjeringen.no/nb/dep/fd/dep/politisk_ledelse/Statssekretær_Espen_Barth_Eide/taler_artikler/2007/Utfordringer-i-norsk-forsvars politikk-.html?id=481025 (accessed September 17, 2007).

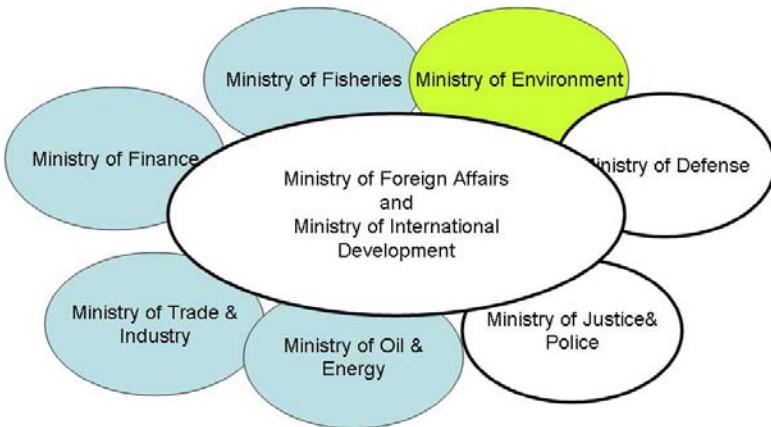


Figure 14. Ministries involved in Norway's foreign policy¹²⁹

A. NATIONAL POLICIES

1. Foreign Policy

Foreign Policy is widely engaging a great number of researcher, and research institutions. This thesis is guided primarily by the following definition of Foreign Policy:

A country's foreign policy is a set of goals that seek to outline how that particular country will interact with other countries of the world and, to a lesser extent, non-state actors. Foreign policies generally are designed to help protect a country's national interests, national security, ideological goals, and economic prosperity.¹³⁰

In other words, a country's foreign policy should be designed, as an over-arching policy that focuses the direction of not only the country's security policies, but also the government's other foreign-policy activities.

In his first regular foreign-policy brief to the Storting on September 15, 2006, the current Minister of Foreign Affairs, Jonas G. Stoere, quoted the main goal of the Government's foreign policy presented in its Soria Moria Declaration.

¹²⁹ This figure was developed by the author, given the Government's goal for Norway's foreign policy.

¹³⁰ Definition of Foreign Policy; http://en.wikipedia.org/wiki/Foreign_policy (accessed August 8, 2007).

The Norwegian foreign policy will support Norwegian interests and values in a rapidly changing world. At the same time, it will support international solidarity to build a better-organized world.¹³¹

Though the Soria Moria Declaration is an extensive document that includes a number of compromises by the coalition parties, those two sentences clearly and concisely express its definition of the goals and perspectives of Norway's foreign policy. In other words, what its foreign policy should be.

The Government divided the Declaration's goals according to the following priorities laid out in the 2007 Ministry of Foreign Affairs National Budget:

- to execute a reinforced policy for the Barents Sea region,
- to execute an offensive Europe policy,
- to strengthen Norway's contribution as a country of peace and to support global justice and a social sustainable globalization, and, furthermore,
- to develop UN and international laws as an obligation for all nations.¹³²

In regard to those priorities, the main difference between the previous and current Governments is the increased focus on Norway's territorial waters, including the Barents region (the High North), and on UN-led operations rather than those led by the United States via NATO. The Secretary to the Ministry of Defense reconfirmed the priorities as late as August 2007.¹³³ In addition,

¹³¹ Jonas G. Goere, Foreign Policy speech to the Storting, September 15, 2006, available from http://www.regjeringen.no/nb/dep/ud/dep/Utenriksminister_Jonas_Gahr_Store/taler_artikler/2006/Hovedlinjene-i-regjeringens-utenrikspolitikk-Utdrag-fra-Stprp-nr-1-2006-2007.html?id=440363 (accessed January 8, 2007). The quotation also appears in the introduction to the 2007 Ministry of Foreign Affairs National Budget, Stortingsproposisjon nr 1 (St.Prp. # 1), the Government's key document that outlines their policy for the next year. The budget is then presented to the Storting, which can approve it, adjust it, or refuse it.

¹³² The Soria Moria Declaration is the framework for the political parties in the Government to use in governing Norway (October 13, 2005), available from <http://www.regjeringen.no/upload/kilde/smkrap/2005/0001/ddd/pdfv/260512-regjeringsplatform.pdf> (accessed February 15, 2007).

¹³³ Barth Eide, August 31, 2007.

the Ministry of Foreign Affairs produced a strategic program for combating international terrorism (described later).

2. Security Policy

Today, national security policies are often based on a number of so-called pillars as described by countries' foreign affairs ministries and departments.¹³⁴ Historically, this marks a dramatic change from a time when nations' very existence could be in question and their security policy was therefore mainly a matter of national defense. Recently, the Norwegian Minister of Defense explained Norway's current security policy as follows:

The goal of the security policy is to maintain and promote basic national security interests. A stringent expression of such interests is important, especially in relation to the changing circumstances and security challenges. Under normal circumstances, the defense of the nation's basic interests will be executed with instruments other than the military, but after all other instruments are considered, Norway must be willing to use military force to defend itself.

In addition to governmental, societal, and human security, protection of the welfare, environment, and economic safety of the Norwegian population is a basic Norwegian security interest.¹³⁵

One result of this historical change in perspective is that Norway's security policy has been significantly expanded to protect much more than just the state's existence. Nonetheless, forming and shaping the nation's security policy is still the responsibility of the Ministry of Defense.

During the last fifteen years, the Norwegian Armed Forces have experienced continual restructuring, reorganization, and downsizing. This has led to numerous reports by the Minister of Defense to the Storting concerning the

¹³⁴ Jonas G. Goere, Foreign Policy speech to the Storting, September 15, 2006.

¹³⁵ Stortingsproposisjon # 42, 2003–2004, Ministry of Defense, The Further Modernization of the Norwegian Armed Forces, 2005–2008 (approved by the Council of State, March 12, 2004), 20 (all emphasis added), 7 available from <http://www.regjeringen.no/nb/dep/fd/dok/regpubl/stpp/20032004/Stpp-nr-42-2003-2004-.html?id=208939> (accessed Aug 15, 200).

nation's security policy. Some of the more important reports are those concerning the contribution of the Ministry of Defense to the national budget (Stortingsproposisjon #1, 2006–2007); the further modernization of the Armed Forces in 2005–2008 (Stortingsproposisjon #42, 2003–2004); and the Relevant Force report in 2004 describing the Strategic Concept for the Armed Forces.¹³⁶ These were all well coordinated with Norway's security policy, and relevant parts of the Soria Moria Declaration incorporated in the defense ministry budget.

The defense ministry, including its Department of Security Policy, has been transformed from a military actor focused on defense of Norwegian and NATO territory to a key actor in the development of Norway's expanded foreign and security policies. The security policy, which has historically been a MoD responsibility, is the key platform for the design of both the defense policy and the future of the Norwegian Armed Forces. In this ever-changing world, the defense ministry continues to develop a broader, extended national security policy. There is no indication of how the execution of this policy is being coordinated with other ministries.

The Relevant Force document introduced two new concepts into Norway's ongoing security policy discussion: societal security and human security:

Societal security concerns the safeguarding of the civilian population, vital societal functions, and critical infrastructure in situations in which the existence of the state as such is not threatened. This development has been accompanied by an increased focus on human security, an important part of societal security. Human security aims at protecting individuals' human rights, especially the right to life and personal safety.¹³⁷

¹³⁶ The Relevant Force Report: The Strategic Concept of the Norwegian Armed Forces, presented by the Bondevik Government and still current, available from http://www.regjeringen.no/upload/FD/Dokumenter/Relevant_force.pdf (accessed January 30, 2007).

¹³⁷ Relevant Force, 6-7.

The realization of these concepts has had a major impact on Norway's security policies, evident especially in the goals of its security policy for the period 2005–2008, defined by the Ministry of Defense:

- to prevent war and the emergence of various kinds of threats to Norwegian and collective security;
- to contribute to peace, stability, and the further development of the international rule of law;
- to uphold Norwegian sovereignty [and] Norwegian rights and interests, and protect Norway's freedom of action in the face of political, military, and other kinds of pressure;
- to defend, together with our allies, Norway and NATO against assault and attack; and
- to protect society against assault and attack from state and nonstate actors.¹³⁸

The Relevant Force report also shows the complexity of Norway's security policy, the government's will to influence the international environment, and the need for more of the policy instruments that were applied during the Cold War

Security policy instruments include primarily the following [eight] domains: politics, the law, police enforcement, diplomacy, the economy, information sources, humanitarian institutions, and the military. Situation-specific and topical circumstances will decide which instruments will be applied and dominate in a given situation.¹³⁹

3. Defense Policy

As the Secretary to the Minister of Defense explained in August 2007, Norway's defense policy "is in the middle of its security policy and the military-operational conditions are visible every day."¹⁴⁰ At present and no doubt continuing into the near future, the main focus of the defense part of Norway's

¹³⁸ The same expression occurs in both the current Government's National Budget for the MoD (Stortingsproposisjon # 1, 2006-2007) and the previous Government's Relevant Force Report and the Report from the Storting Standing Committee of Defense (FKOM) No.234 (2003–2004), , available from <http://www.stortorget.no/inns/2003/pdf/inns-200304-234.pdf> (accessed July 10, 2007).

¹³⁹ Relevant Force Report, 20.

¹⁴⁰ Barth Eide, August 31, 2007.

security policy will be to support with military means its foreign policies in conflicts far from the Norwegian mainland, in addition the protecting of the national interests in the Barents region, or as it also called the High North. This focus is clearly evident in Norway's ongoing support with highly trained and professional military units of NATO- and UN-led operations. Since 1999, Norwegian Special Operation Force soldiers and units have also been deployed.

In this thesis, the aspect of the Norwegian Armed Forces' objectives that will be highlighted is their contribution "to safeguarding Norway's societal security, to saving lives, and to limiting the consequences of accidents, catastrophes, assaults, and attacks from state and nonstate actors."¹⁴¹

B. THREATS

The main actors in developing Norwegian threat assessments are, domestically, the Police Security Service through the Ministry of Justice and Police and, internationally, the Norwegian Intelligence Service through the Chief and Ministry of Defense.

The Police Security Service presents an annual Threat Assessment pertaining to Norway and Norwegian interests abroad to the Ministry of Justice and Police. In addition to the classified assessment, an unclassified version is available to the public. Occasionally, the NPSS also presents assessments related to specific incidents in Norway or abroad that may have implications for Norwegian interests. Two examples of such incidents were the attack on the Norwegian Embassy in Damascus and the London underground bombings.

¹⁴¹ Ibid., 60. The Armed Forces' defense policy objectives for 2005–2008 are that the NAF, within its area of responsibility and through cooperation with other national authorities, as appropriate, shall be able to: alone and together with Norway's allies, secure Norwegian sovereignty, Norwegian rights and interests, as well as ensuring Norwegian freedom of action in the face of military or other pressure; together with allies, through participation in multinational peace operations and international defense cooperation, contribute to peace, stability, and the enforcement of international law and respect for human rights, and prevent the use of force by state and nonstate actors against Norway and NATO; together with allies, contribute to the collective defense of Norway and other allies in accordance with our Alliance commitments, and meet different kinds of assaults and attacks with force in order to safeguard Norwegian and collective security.

Together with cooperative counterpart services abroad, the Norwegian Intelligence Service has been a key supporter in these endeavors.¹⁴²

The Ministry of Defense has a broader view of national security, focused outside the national borders. Every year, the defense ministry presents an analysis of the security environment as part of its proposal for the national budget, (Stortingsproposisjon #1). For mid-term use, this is presented in a five-year plan for the Norwegian Armed Forces. In addition, the Intelligence Service produces intelligence assessments according to tasks assigned it by the Ministry of Defense. These are normally classified, depending on their users, their content, and the need to protect sources. The NIS also cooperates closely with the Norwegian Police Security Service concerning the national threat assessment.¹⁴³ Although the two services coordinate their assessments with each other, no major joint product similar to the U.S. National Intelligence Estimate is produced.

1. The Norwegian Police Security Service Threat Assessment

According to key statements in the 2007 Threat Assessment:

There is currently no direct threat to the security of the realm. However, Norwegian society is exposed to several potential threats that, if not combated, could involve Norwegian security being compromised and national interests being damaged. . . . Supporting terrorism is the main activity carried out by individuals with connections to extreme Islamist networks in Norway. Supporting terrorism includes financing, and the forgery of identity documents. . . . Generally, such organizations do not present a direct threat to Norwegian targets. . . . There are currently no indications that radicalization of individuals resident in Norway is a significant element in the Norwegian threat picture, although the radicalization process can take place very quickly.¹⁴⁴

¹⁴² PST.POLITIET. The Norwegian Police Security Service: Our Task, 2007, available from <http://www.pst.politiet.no/PST/Templates/Article571.aspx> (accessed August 15).

¹⁴³ PST.POLITIET.

¹⁴⁴ Ibid.

2. The Ministry of Defense: Future Security Challenges

Although Norway and its allies do not face an existential threat at present, there are significant threats to its societal and human security by nonstate actors at various levels of certain organizational structures. The situation today is characterized by the recent disappearance of a clear distinction between national and multinational environments. Despite these threats, the Norwegian government remains convinced that many of today's security challenges would be reduced by a general betterment of living conditions around the world and by a stronger UN supported by its members to enforce that better world.

Unlike in the past, Russia today does not pose a military treat to the mainland of Norway, and has not done so for the last decade. However, Russia is still Norway's neighbor and the largest country in the world. And because of its increased revenues from oil exploration, the country has regained some of its old confidence and the will to be an actor in international politics. In the fall of 2007, a number of bomber flights from Russia were seen along the coast of Norway.

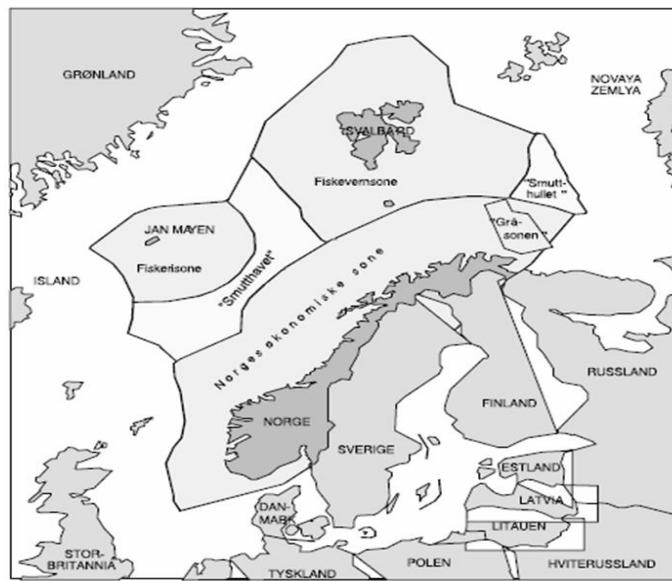


Figure 15. The Barents Sea Region, the High North, and Norway's area of interest¹⁴⁵

¹⁴⁵ St meld # 42, 33

Unlike in the past, the recent developments in the Barents region with an activity from Russian bombers along the Norwegian coast not seen since the late eighties will not necessarily lead to the threat of a military invasion of Norway. However, the possibility of conflicts over the management of the rich recourses in the area, the threat posed for the environment, and future transportation routes will increase the challenges for both Norway's foreign and security policies. At least that was the view taken by central government officials in the fall of 2007.¹⁴⁶ The Barents region will therefore continue to challenge Norway's ability to produce a valid situational picture of the area. In its response to future challenges, the Norwegian Armed Forces cannot focus solely on asymmetric threats; it must remain vigilant to handle more traditional threats that are as yet unknown.

3. Terrorism

To reduce the risk of Norway being exposed to terrorist actions and to support the international effort to reduce the foundations of terrorism are two of the Norwegian Government's highest priorities. In September 2006, the Minister of Foreign Affairs presented to the Storting the Government's strategy for combating international terrorism.

Terrorism can therefore only be defeated by applying a broad range of measures: by improving education, fostering cultural understanding, and promoting development, by establishing closer police and judicial cooperation, and, as a last resort, by using force. . . . The fight against terrorism is ultimately a struggle over values. Our efforts to combat terrorism will only succeed if they are in full accordance with the principles of the rule of law and universal human rights.¹⁴⁷

As noted earlier, in its fight against terrorism, the Government is using more instruments than just the Norwegian Armed Forces in executing its security

¹⁴⁶ Barth Eide, August 31, 2007.

¹⁴⁷ Government.no. Ministry of Foreign Affairs, Foreign Policy Strategy for Combating Terrorism, available from http://www.regjeringen.no/upload/kilde/ud/rap/2006/0124/ddd/pdfv/291587-terrorstrategi_eng.pdf. (accessed May 30, 2007).

policy. The long-term national goal is to reduce the risk of Norwegian interests being exposed to terrorist actions or being used to support terrorist acts against others.

C. STRATEGIC INTELLIGENCE

The Government's needs regarding intelligence are different than the intelligence needs of the military, or the investigative and prosecution needs of the police. Historically, the military has primarily sought information about an enemy's military capabilities and capacities. The regular police investigate potential lawbreakers for the ultimate purpose of prosecution. However, Norway's strategic decision-makers must focus more on threatening organizations and nations' intentions and probabilities. While many definitions of intelligence exist, for the purposes of this thesis, intelligence is best considered as a system.

[I]ntelligence is best understood as the collection, analysis, and dissemination of information on behalf of national security decision makers. . . . Therefore, a high-quality intelligence process balances investment and direction from decision makers with unbiased collection and analyses.¹⁴⁸

This chapter has already described how Norway's security policy, as part of national foreign policy, has expanded. And, as Jennifer Sims pointed out in 2005, such expansions also create more challenges to provide strategic decision makers with unbiased information.

During the Cold War period, the intelligence services worked in an environment in which information was in short supply. Today, there is an overflow of information, some true, some mostly useless, and some false. This overflow creates numerous challenges, especially concerning the ability to find essential information and to make relevant and timely analyses concerning the future. In an increasingly complex world, the main challenge for intelligence services is

¹⁴⁸ Jennifer E. Sims and Burton Gerber, eds., *Transforming U.S. Intelligence* (Washington, D.C., Georgetown University Press, 2005); J. Sims, "Understanding Friends and Enemies: The Context for American Intelligence Reform." Sims served as the Department of State's first coordinator for intelligence resources and planning.

their ability to present overwhelming information in a way that government decision makers can understand it, and use it in formulating national foreign policies. To achieve this, there must be absolute confidence between the decision makers and the intelligence services. It must never be the case in Norway, as it was recently in the United States, that the decision makers establish their own intelligence support. There, a team working under the U.S. Undersecretary of Defense, Douglas Feith, produced its own analysis, based on raw intelligence, supporting the 2003 invasion of Iraq. The result was seriously biased decisions.¹⁴⁹ Intelligence services and their analysts, with years of experience, are experts in handling raw information and discerning whether it comes from reliable or questionable sources. Such discernment is essential as a basis for making decisions without the influence of political expediency.

Norway has excellent research institutions, both military and civilian, working in the area of foreign policy. One similarity between these respected research institutions and the intelligence service is that both strive to fulfill high standards. Their main differences are their access to sources and their ability to implement the information gained. Both might have access to the same open information, depending on their relationships with key individuals. The intelligence services, however, have additional resources and the legal authority and techniques necessary for collecting information that a suspected enemy is trying to hide.

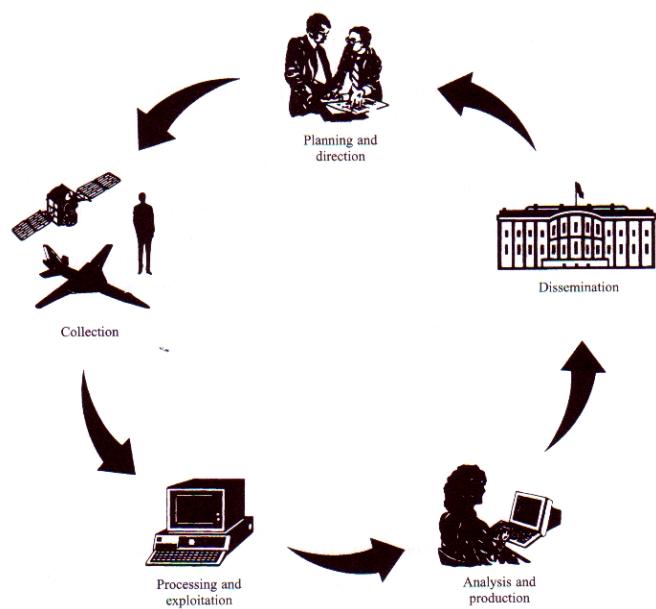
1. Intelligence Process

For the purposes of this thesis, the following definition of the term, *intelligence process* is used:

¹⁴⁹ Mark Lowenthal. *Intelligence*, 183; and Georg Tennet, *At the Center of the Storm* (NY: Harper Collins, 2007), 348–349; Tennet was Director of the CIA, 1997–2004.

The term *intelligence process* refers to the steps or stages in intelligence, from policy makers perceiving a need for information to the community's delivery of an analytical intelligence product to them.¹⁵⁰

In addition, Lowenthal emphasizes the difference between “information” and “intelligence.” Information is anything that can be obtained by anyone. Intelligence is information that is gathered, processed, analyzed, and narrowed to meet the needs of the decision-makers in the national interest (see Figure 16). “All intelligence is information, but all information is not intelligence.”



Source: Central Intelligence Agency, *A Consumer's Handbook to Intelligence* (Langley, Va.: Central Intelligence Agency; 1993).

Figure 16. The Intelligence Process

In Norway, the perceived total need for intelligence abroad is delineated in the instructions from the Ministry of Defense to the Intelligence Service. The content of that document is classified and not accessible by the public or the other ministries. Nevertheless, at present, the Ministry of Foreign Affairs has assessed the relationship between it and the Intelligence Service as first-

¹⁵⁰ Lowenthal, 54.

class.¹⁵¹ The Norwegian Police Security Service produces no similar document for domestic intelligence. Its missions for the forthcoming year are given in a letter of instruction in conjunction with the yearly budget.¹⁵²

D. SUMMARY

During the Cold War, the Norwegian Armed Forces was the key instrument used to execute Norway's security policies. Since then, the Armed Forces' role has become less dominant. Today, the execution of Norway's security policy is divided among several ministries. The main threat against Norway is no longer nations with a well-organized armed force ready to attack. Today the main threat is the possibility of a terrorist attack that would have extensive consequences for the nation's way of life and its values.

To protect against this, the Norwegian government has implemented a broad security policy involving several ministries to combat the root causes of terrorism. At present, Norway is on the outskirts of the storm of terrorist activities, though that could change at any moment and our societal and human security be threatened.

Because of this new threat environment, the thesis will argue that strategic support from Norway's intelligence services is of increasing importance to the national decision-making process. Appropriate, trustworthy, unbiased, and reliable intelligence is essential for Norway's decision-makers at all levels of the government. Criteria for a successful and an optimal intelligence service will be discussed further in the next chapter.

¹⁵¹ Interview with Special Adviser Jon Erik Stroemoe, Ministry of Foreign Affairs, September 4, 2007.

¹⁵² Interview with Special Adviser Atle Tangen in Norwegian Police Security Service, September 7, 2007.

V. STRATEGIC INTELLIGENCE SUPPORT: CRITERIA FOR SUCCESS

This chapter will present criteria for an ideal and successful intelligence support structure for the Norwegian Government and identify current shortfalls. The chapter will focus on the intelligence services' role in supporting Norway's foreign and security policies. It will describe three options for better organizing the intelligence services' support for the Government decision makers and will analyze their comparative strengths and weaknesses. In doing so, the chapter provides a framework for the recommendations that will be presented in Chapter VI.

In Norway, traditionally, the work of the intelligence services has not been considered a part of the nation's statecraft. It was noticeably absent from the conclusions reached by the 2000 Government Commission to evaluate Norway's security vulnerabilities.¹⁵³ Two years later, in an article entitled "The Norwegian Flexibility of Maneuver and the Need for an Overarching Strategy for Security Policy," Ivar Neumann directly addressed the absence of a "grand strategy," the lack of an overarching military doctrine, and the absence of strategic thinking outside purely military affairs.¹⁵⁴ More recently, in *Intelligence and the National Security Strategist*, a textbook about the responsibilities and roles of intelligence services, Roger George and Robert Kline argue that "One of the key tasks of intelligence is to provide policymakers with forecasts and warnings."¹⁵⁵ Director Hagen of the NIS has also emphasized the increasing requirements of the NIS.

¹⁵³ NOU 2000:24, 254.

¹⁵⁴ Iver N. Neuman, Norsk Handlingsrom og behovet for en overordnet sikkerhetspolitisk Startegi (The Norwegian Flexibility of Maneuver, and the need for an overarching strategy for security policy) (Det sikkerhetspolitiske bibliotek no 3), Oslo 2002, , available from http://www.atlanterhavskomiteen.no/Publikasjoner/Sikkerhetspolitisk_bibliotek/Arkiv/2002/pdf/3-2002.pdf . (accessed October 3, 2007)

¹⁵⁵ Reed R. Probst, "Clausewitz's on Intelligence," in Roger Z. George and Robert D. Kleine, Eds., *Intelligence and the National Security Strategist: Enduring Issues and Challenges* (Rowman & Littlefield Publishers, Inc, Oxford, 2006), 4.

Historically, in Norway, intelligence has been considered part of the military establishment, and the forming and shaping of the nation's defense and security policies were left to the military. But, in recent years, an increasing number of government officials have come to see the benefit of a reliable national intelligence service. As a result, the tasks of the intelligence community have considerably increased.¹⁵⁶

Nonetheless, an understanding and appreciation of the intelligence-gathering and analytical processes and their potential remains limited within the political environment. Moreover, many might find it convenient to leave intelligence work to the military and the police, so as not to "disturb" the "real" workings of the Norwegian government and political institutions.

Concerning this issue in the United States, Lowenthal names five key actors responsible for forming the U.S. national security policy: the President; various departments, but especially the State and Defense Departments; the National Security Council; the intelligence community; and the Congress.¹⁵⁷ By comparison, in Norway, there are three key actors: the Government not the Prime Minister as an individual, but the collegium of ministers; the Storting; and the intelligence community. In addition, this thesis will argue that the media and the Norwegian citizenry are also influential actors, although the general public only exercises its formal power through elections every four years. Certainly, history shows that politicians are vulnerable to pressure from both those groups. This is especially the case when the government is composed of a coalition of parties, with or without majority support from the Storting. Moreover, for the last forty years, coalition governments have been the custom in Norway. The recent discussions concerning the participation and use of the Norwegian Armed Forces in support of the NATO-led International Stabilization Force in Afghanistan show clearly the challenges.

¹⁵⁶ Torgeir Hagen, November 2006

¹⁵⁷ Lowenthal, 174-175.

A. CRITERIA FOR A SUCCESSFUL NATIONAL INTELLIGENCE COMMUNITY

There are many official users of intelligence. In Norway, however, the Public Intelligence Act and the Intelligence Service focus primarily on the strategic level.¹⁵⁸ Thus, for the purposes of this thesis, the use of intelligence in direct support of military operations or police investigations and prosecution will not be discussed.

The criteria used in this thesis derive from three main sources: a close study of the relevant literature (see the thesis bibliography); a course presented in 2007 at the Naval Postgraduate School, Monterey, California, entitled The Anatomy of Intelligence; and one-on-one discussions with the thesis advisers. This research identified six criteria, shown in Figure 17, that are critical for a national intelligence community's strategic success.

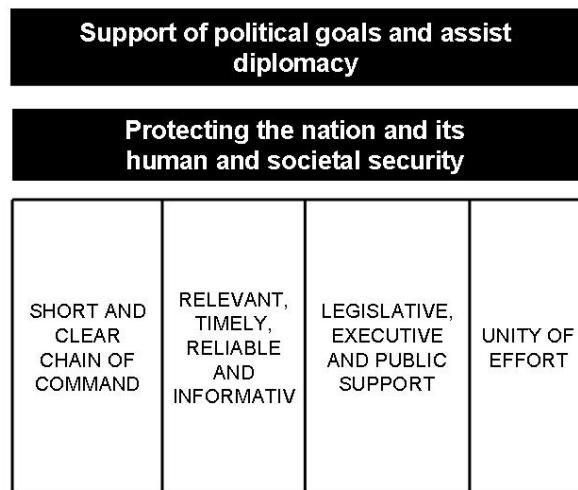


Figure 17. Criteria for a successful national intelligence role

¹⁵⁸ Odeltingsproposisjon #50 (1996-97), Remarks to the Public Act of Intelligence, MoD's remarks to the proposal to the Storting, accessed February 26, 2007, at <http://www.regjeringen.no/nb/dep/fd/dok/regpubl/otprp/19961997/Otprp-nr-50-1996-97-.html?id=158595>

1. Supporting Political Goals and Assisting Diplomacy

As thinking and imagination should be turned toward thinking about the future use of intelligence to shape a more peaceful world.”¹⁵⁹ Norway has seen an increased demand for intelligence from a number of ministries because of the government’s ambitions in international politics and the possibility of conflicts of interest over resources in Norway’s geographical areas of interest. Indeed, the increased demand was highlighted in an NIS director’s speech in November 2006.¹⁶⁰

Every year, the Ministry of Defense compiles a document for the Norwegian Intelligence Service that outlines the ministry’s responsibilities and the coordinated intelligence needs of the Government for the coming year.¹⁶¹ From the Ministry of Foreign Affairs’ point of view, the NIS is not only a military intelligence agency, but also the nation’s only foreign intelligence service.¹⁶² According to the MoFA, relations between the ministry and NIS are adequately assessed.¹⁶³ However, the Intelligence Service is directed by the Chief of Defense and coordinated by the Ministry of Defense.¹⁶⁴ The procedure is that the MoD is to be informed about enquiries made by the Foreign Affairs ministry to NIS. This authors research found that the MoFA is the only ministry that has such a direct access to the NIS.

Due to purely economic interests and as an aspect of the nation’s foreign policy, Norwegian businesses are involved to some degree in a number of underdeveloped and unstable countries. In that involvement, it is uncertain how much the government contributes in the way of a security and threat assessment.

¹⁵⁹ Deborah G. Barger, "It IS Time to Transform, Not Reform, U.S. Intelligence," *SAIS Review* XXIV, no. 1 (Winter–Spring 2004).

¹⁶⁰ Torgeir Hagen, November 2006.

¹⁶¹ Ibid.

¹⁶² Jon Erik Stroemo, September, 2007.

¹⁶³ Ibid,

¹⁶⁴ Royal Instruction for NIS, §16.

Neither the Intelligence Service nor the Police Security Service has been tasked with supporting Norway's economic interests. However, as specified in the NIS legislation, the NIS is required to contribute to "the shaping of Norwegian foreign, defense, and security policy."

One country that Norway is interested in and that poses no "direct" threat is Iran. As the newspaper *Aftenposten* revealed in September 2007, the NIS is involved in collecting intelligence both within and against Iran.¹⁶⁵ Although he did not comment on the NIS contribution, the Secretary to the Minister of Defense made clear in that article that Iran and the whole Middle East are currently a focus area of the Norwegian government.

Among government officials, there is increasing awareness of the ability of both the Intelligence Service and the Police Security Service to provide support for Norway's decision-makers in preparing national policies and overseeing their execution at home and abroad. At the same time, the threats from failed governments and nonstate actors has increased the demands on the entire intelligence community for short- and long-term analyses in a number of Norway's areas of interest.

Historically, Norway has not supported the use of military pressure on foreign governments for regime change. Norway put a lot of effort, however, into supporting the African National Congress (ANC) in South Africa before its regime shift, and in the peace processes in Sri Lanka and between Israel and the Palestinian authorities, to name only the most well known. Norway's support of the ANC, in particular, was executed using elements of its embassy in Pretoria.

For most of the government institutions and administrators involved in the development of Norway's national security policy, the process for obtaining access to foreign intelligence might appear overly complicated and time-consuming. At the same time, many politicians view intelligence much more as a

¹⁶⁵ *Aftenposten*, Norge driver med spionasje i Iran (Norwegian espionage in Iran), September 7, 2007.

“cloak and dagger” activity than a supportive and useful tool in implementing and achieving the government’s political goals.

This thesis will argue that the Norwegian model *is* time-consuming and that the intelligence community overall is giving too little access to ministries other than Foreign Affairs and Defense. Thus, the current structure is probably not the most efficient for assisting and supporting the nation’s achievement of its diplomatic and political goals.

2. Protecting the Nation and its Human and Societal Security

During the Cold War, Norway’s intelligence operations were largely successful. The Norwegian Intelligence Service maintained sufficient track of USSR activities in the High North and its capabilities and intentions. The government was informed regularly of any critical developments in the Norwegian/USSR border region that could threaten Norway’s peace and stability until, finally, both the USSR and the Warsaw Pact collapsed. The threat-warning responsibility stipulated in the NIS Public Act is also assessed to be work well. Today, the task of protection has become more focused on threats from border-crossing nonstate actors, who may pose a danger to the nation’s human and societal security and its system of values.

In Norway, the separation between domestic and foreign intelligence responsibilities is clearly expressed in respective legislation, but the increased threat from nonstate actors blurs the distinction between the strictly foreign and the domestic domain. At present, a joint police and military counterterrorist analysis cell is planned as a first step toward improving the nation’s ability to fight the new asymmetric threats.

So far, no significant attack against its human and societal security has occurred in Norway. Unlike in other countries such as the UK and Germany, however, where the intelligence community’s ability to help protect the populace and maintain security is well known, the Norwegian public is completely unaware of the intelligence community’s contribution to this peaceful state.

This thesis argues that the Norwegian intelligence community would benefit and improve both in its effectiveness and in its acceptance by the Norwegian public if it worked with more openness about its contributions to the safety and security of the general society.

3. A Short, Clear Chain of Command between Decision Makers and the Intelligence Community

To ensure maintenance of the right priorities, direction, relevant support, and an effective feedback loop, it is essential that the intelligence community maintain a close relationship with the national decision makers. It is long past the time when the only input required from the IC by the government is a threat warning of Extreme, High, Medium, or Low, as was the case at the height of the Cold war.

The United Kingdom has made good use of its analytical center, the Joint Intelligence Committee, which directly supports and is part of the Office of the Prime Minister.¹⁶⁶ Similarly, in 2006, the Swedish government established a Department for Preparedness and Analyses, which directly supports its Prime Minister. The department is responsible for overseeing major global incidents and for assisting the Prime Minister and other ministers in the decision-making process.¹⁶⁷ The department is still small, however, and under continuing development.

In Norway, there are no intelligence bodies or positions within the Office of the Prime Minister (OPM) and thus no one to provide either the Prime Minister or members of his government with intelligence input and support directly.¹⁶⁸ In addition, both the OPM Departments of Foreign Affairs and Domestic Affairs

¹⁶⁶ National Intelligence Machinery: The official United Kingdom description of the British Intelligence Community, accessed March 5, 2007, at: http://www.intelligence.gov.uk/central_intelligence_machinery.aspx

¹⁶⁷ Swedish Government, Office of the Prime Minister, official webpage, Department for Preparedness and Analyses, available from <http://www.regeringen.se/sb/d/2247/a/54230> (accessed October 1, 2007).

¹⁶⁸ E-mail from the the Office of the Prime Minister, Senior Adviser Oivind Ostang, Oct 2, 2007.

consist of only five civil servants each. In the Norwegian system, therefore, there is no collection of intelligence or other intelligence resource at all allocated in direct support of the Prime Minister's office, even not from the analytical side. Thus, this thesis will argue that, in the Norwegian model, the connection between executive power and the intelligence services is not close and tight enough to meet the security demands of the future.

4. Relevant, Timely, Reliable, and Informative

As a rule, one of the intelligence services' main goals is assessing and anticipating the future in accordance with a country's political priorities. Therefore, it is of the utmost importance that the intelligence community be able to present relevant forecasts and projections about future political concerns and threats in a timely manner. Such ability includes also the flexibility to change focus and direction when needed. Intelligence presentations may be in the form of threat assessments, whether from without or within the country, or in the form of input into and support of decisions concerning the nation's "interests in relation to foreign countries, organizations or individuals," as is stipulated in the NIS legislation. Overall, therefore, the increasing demand in Norway for NIS and NPSS products should be seen as a clear signal that those products are relevant and reliable.

Normally, Norway's intelligence findings are handled by the respective ministries in Defense or Justice and then forwarded to the Office of the Prime Minister as part of their regular contributions. Occasionally, however, intelligence reports may be forwarded directly to the OPM or to the Government, although the Prime Minister's Office has no direct capacity for handling intelligence.¹⁶⁹

In these regards, this thesis will conclude, in general, that Norway's intelligence products are relevant and reliable, but their use is not as effective as it might be due to the physical separation between the intelligence community

¹⁶⁹ E-mail from the the Office of the Prime Minister, Senior Adviser Oivind Ostang, Oct 2, 2007..

and the Office of the Prime Minister and the Government. This distancing can hinder a timely communication between the decision makers and their could-be-better supporters in the intelligence services.

5. Legislative, Executive, and Public Support

The Norwegian intelligence community's ability to be considered a necessary asset for political and government decision-makers depends on the intelligence agencies' credibility with the Norwegian populace. The Lund Commission in 1996 and additional legislation since and to date have increased and enhanced that credibility. However, when some foreign intelligence services were accused of serious failures connected with the 9/11 tragedy and the Iraq campaign, critical voices were raised in Norway concerning its intelligence community as well. Their criticism was and is based, not on any specific identified failures, but on the people's diminished trust, one result of the Government's failure to release information about the intelligence services' contribution to the decision-making process.

In September 2007, an article in *Aftenposten*, entitled "An Increasing Crises of Confidence,"¹⁷⁰ raised this very issue, the lack of openness. Within the media, few voices speak against the *need* for national intelligence support, although some do speak about the processes of intelligence collection. There is some criticism of the expanded information-collecting methods that the police are now allowed to use. And an increasing number of voices are being raised to protest the way that all information concerning the intelligence community is classified as "non-releasable" in the public domain.

This thesis will argue that the Storting and the government have handled the regulation of the Norwegian intelligence services effectively and well. The

¹⁷⁰ Harald Stanghelle, Mot en tillitskrise? (An increasing Crises of Confidence?). *Aftenposten*, September 3, 2007. Stanghelle is the Political Editor of *Aftenposten*,

Storting has passed appropriate and relevant legislation to assure proper legislative oversight, Acts that have then been updated by Royal Instructions to assure their relevance.

The thesis finds that both the Government and the intelligence agencies themselves over-classify intelligence results and conceal information about the agencies and the way they contribute to and support the established political goals. In the long term, such policies will only hinder the intelligence institutions' ability to support their principals.

6. Unity of Effort

In Norway in 2007, the two main (of three) intelligence agencies, the Police Security Service and the Intelligence Service, were funded approximately one billion NKR (US\$150 million) by the Storting. Compared to the United States, where the turnover is around US\$40 billion and there are sixteen agencies to coordinate, the Norway's three secret services should be reasonably easy to control.

Critics often ask: Are the intelligence services able to use their recourses – money, people, and technical assets – in an efficient manner in support of national peace, security and foreign policy? In Norway both the Government Committee for Coordination and Advice (CCA) and the High Level Council are tasked to ensure proper coordination, but there is little unclassified information available concerning their activities in recent years.

Interviews with key Norwegian officials in September 2007 indicated that the interagency relations were satisfactory.¹⁷¹ The interviewees pointed out that the analysts involved are provided with opportunities to discuss assessments across agencies before any conclusions are reached.¹⁷² As a result, a number of minor joint products were evidenced.

¹⁷¹ Research in Norway, 2007.

¹⁷² Atle Tangen, Jon Erik Stroemo, September 2007

The Norwegian Police Security Service and the Intelligence Service's main direction, or focus area, is stipulated in related legislation, as is their respective focus on domestic and foreign affairs. Concerning NIS priorities, the Ministry of Defense produces a yearly document that gives NIS its directions. The planned establishment of a Norwegian "Joint Terrorist Analysis Center" is estimated to further increase and enhance communication between the two main intelligence services.

It is estimated that the NIS Division of Technical Collection and Assessment controls more technical assets than the NPSS. However, the Division's focus is intelligence gathering directed at foreign targets. Since the Lund Commission Report of 1996, no serious accusations have been made concerning the NIS's directing of assets at domestic targets, however practical such operations might seem. In this respect, its difference from the U.S. National Security Agency is significant. If the NIS in its intelligence collection abroad comes across information related to domestic targets, in keeping with government regulations – legislation §9 in the Public Act and §4 in the Royal Instructions, and agreements between the ministries – this information must be handed over to the police.¹⁷³

In sum, this thesis will argue that in recent years the two intelligence services have been able to effectively unite their efforts when required in times of national necessity.

B. WAYS TO FURTHER IMPROVE AND ENHANCE THE EFFECTIVENESS OF THE INTELLIGENCE SERVICES

This section will describe possible ways that the intelligence services and their support might be improved and their effectiveness enhanced, as shown in Figure 18.

¹⁷³ K. Storberget, and A-G. Stroem-Erichsen, March 9, 2007.

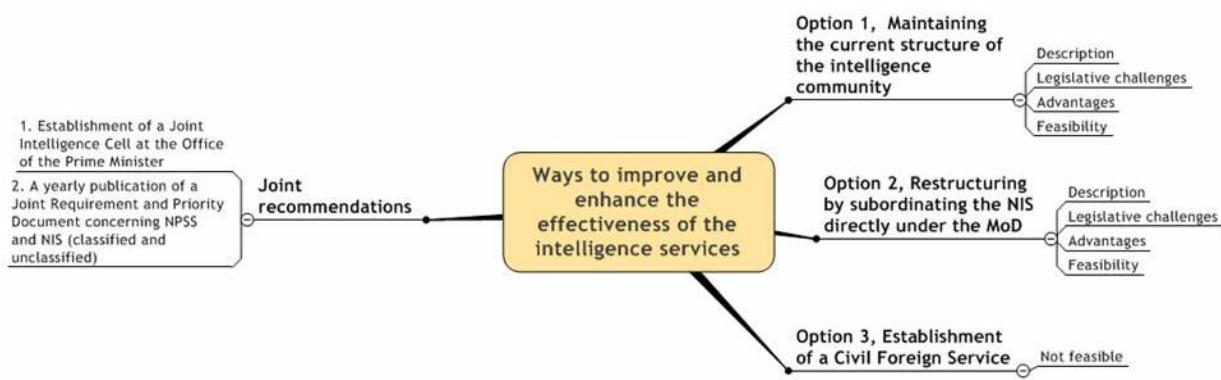


Figure 18. Overview of ways of improvement

1. Joint Recommendation #1, the Establishment of a Joint Intelligence Cell at the Office of the Prime Minister

The first joint recommendation is that a small Joint Intelligence Cell (JIC) be established that would consist of a number of senior civil servants and officers from both the NPSS and the NIS and be subordinated to the Office of the Prime Minister. Its main focus would be to ensure that the Government has direct access to the intelligence community, their reports and estimates, in order to reinforce and improve the decisions and the decision-making process. Further, the JIC should contribute to the understanding of how the intelligence services could be a valuable integral part of the decision-making process, not merely a producer of intelligence-reports on demand. If approved, the JIC should be a participant in the formation of a joint requirement and priority document (REQPRIDOC) to ensure that the intelligence community maintains an appropriate focus and quality control. (Legislative control of the intelligence services is the responsibility of the Storting and its EOS committee.) A Joint Intelligence Cell at the Office of the Prime Minister could also act as a permanent secretariat for the Committee for Coordination and Advice, to further ensure coordination of the intelligence efforts with the Government.

Legislative challenges. This recommendation does not in and of itself necessitate a legislative change. However, an updated Public Act covering the responsibilities of the new Joint Intelligence Cell and its relation to the NIS and NPSS would increase both the legislature's and the public's general support and acceptance of the intelligence community's key role in forming and implementing Norway's foreign and security policies. The Public Act, in §3, is intended to cover the intelligence community's contribution to the decision-making process, a role that includes, but is not limited to, security threats.¹⁷⁴

Advantages. If implemented, the creation of a Joint Intelligence Cell would ensure a closer, better-supported decisions, more mutual and effective relationship between the executive branch and the intelligence services on a daily basis, while at the same time maintaining the Prime Minister's need for distance and independence from the intelligence community. The possibility for fragmented information mentioned by Report #9 (see Chapter I) would be more limited. Government decisions would therefore be better informed and its ability to direct the overall intelligence effort would be increased. This thesis will argue that a JIC staffed with the right civil servants and intelligence officers would soon demonstrate its value for all the parties concerned: the executive power, the legislative power, and their intelligence supporters.

Disadvantages. It is reasonable to anticipate that, initially, the establishment of a Joint Intelligence Cell would trigger resistance – a “turf war,” so to speak – both in the involved ministries and in the intelligence services themselves. The need to assign the appropriate competences from the services, for example, might cause concern, but this would be greatly eased by the creation of new, or “fresh,” posts for the new tasks.

Feasibility. This author will argue that the establishment of a Joint Intelligence Cell as described here is an entirely feasible way to improve and enhance the effectiveness of the intelligence services.

¹⁷⁴ Public Act for NIS and the Royal Instructions for NIS.

2. Joint Recommendation #2, the Establishment of a Joint Requirement and Priority Document

The second joint recommendation is that a Joint Requirement and Priority Document (REQPRIDOC) be published yearly in a version that shows the requirements and priorities of the whole intelligence community. Both a classified and an unclassified version of the Document should be produced by the Joint Intelligence Cell and approved by the Prime Minister and his Government as a document of instruction for the Minister of Defense and the Minister of Justice and Police. Obviously, this report should not reveal information concerning the methods and assets used by the intelligence services. Further, the RECPRIDOC should also be used as an evaluation tool of the effectiveness and quality of the intelligence community.

However, the publication of an unclassified version need not depend on the establishment of a Joint Intelligence Cell. In its application to the NIS it can be handled as it is today by the Ministry of Defense; in its application to the NPSS, it could (and should) be incorporated by the Ministry of Justice and Police.

Legislative challenges. The publication of an unclassified version of the Requirement and Priority Document does not in and of itself require a legislative change. However, updating the Public Acts legislation concerning the responsibilities of the Ministries of Defense and Justice to include the production of an unclassified version would both increase their national value and facilitate the report's implementation.

Advantages. An unclassified documentation of the Norwegian intelligence community's requirements and priorities would evidence their impact on the national decision-making apparatus and the concrete results of the one billion NKR designated for these services. Furthermore, this thesis would argue that the existence of such a document, accessible by the people, would greatly reduce the number of unsupported charges of ineptitude by the media and members of the Storting. An intelligence community that had greater support from the Norwegian people and was freed from the onerous task of defending itself from

unwarranted accusations could then dedicate more time and effort to the peace and security needs of the country and the world at large.

Disadvantages. Publication of an unclassified version of the Document would probably meet significant resistance from both the responsible ministries and the intelligence services themselves. This resistance could initially result in a product bothered by some teething problems.

Feasibility. This author will argue that the publication of an unclassified version of an Requirement and Priority Document is an entirely feasible way to improve and enhance the role and value of the intelligence services.

3. Option 1. Maintaining the Current Structure of the Intelligence Community

This option would have no impact on the overall structure within the Ministry of Defense or Ministry of Justice and Police as shown in Figure 19. The Police and Security Service would continue as a domestic intelligence service subordinated to the MoJ. The Intelligence Service would continue as a military [foreign] intelligence service subordinated to the Chief of Defense.

However, if a joint intelligence support element were established, as described in Joint Recommendation #1, within the Office of the Prime Minister, the NPSS/NIS should staff the Joint Intelligence Cell with senior civil servants and intelligence officers. This structuring would ensure a much closer connection between the Government and its intelligence support services. If an unclassified Requirement and Priority Document were published, as this thesis also recommend, the services should assist in its production within their respective ministries.

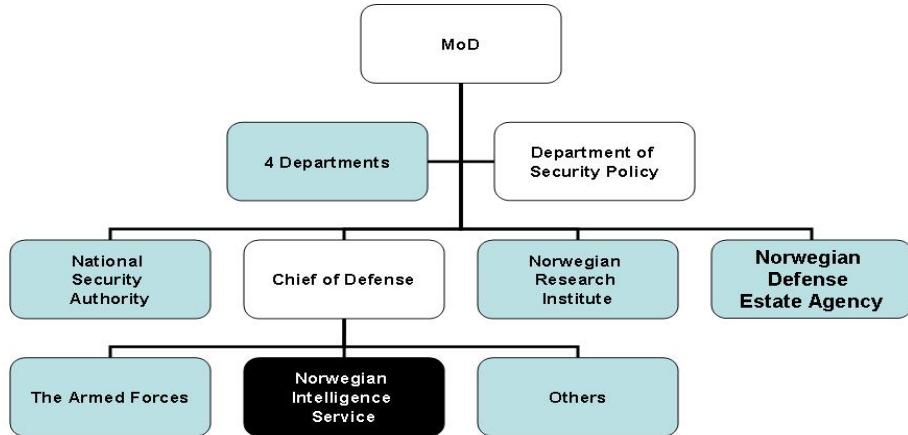


Figure 19. Current structure of the NIS within the MOD (as seen today)

Legislative challenges. Only those discussed above regarding the first and second joint recommendations.

Advantages. If the current structure of the intelligence community is maintained, the intelligence services and their respective ministries would experience little disturbance because no significant changes would be implemented.

Disadvantages. Since the NIS would continue as a Chief of Defense asset, the ability for the Prime Minister and the government to more effectively use NIS resources would not be enhanced.

Feasibility. Maintaining the current structure of the intelligence community is a feasible option.

4. Option 2. Restructuring by Subordinating the NIS Directly under the Minister of Defense

In keeping with an expanded role for Norway's other government ministries in their implementation of the foreign and security policies, the Norwegian Intelligence Service would no longer be subordinated to the Chief of Defense, but would be relocated, directly subordinated and answerable to the Minister of Defense, as shown in Figure 20.

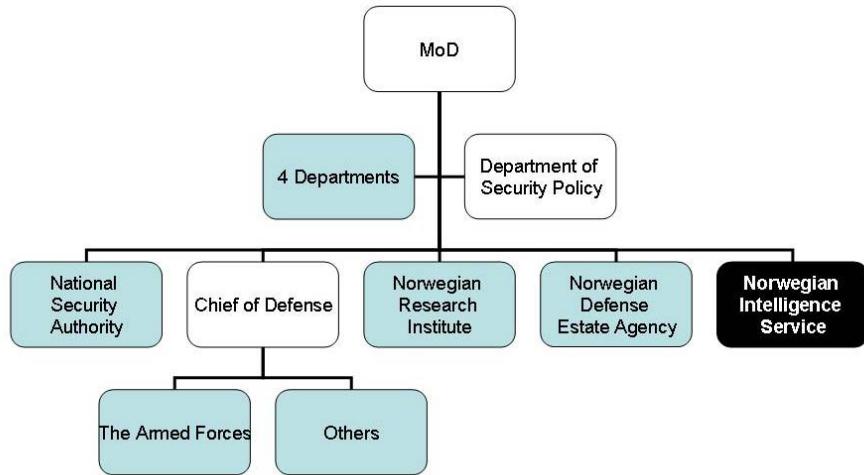


Figure 20. Restructuring and relocation of the NIS within the MoD

Such restructuring would bring the NIS closer to its main strategic users without necessitating significant changes in its internal structure. However, this option would require that the Chief of Defense keep a small subordinate intelligence element to maintain relations between the NIS and the military intelligence consumers both domestic and foreign. This reorganization will have no impact on the NPSS as an agency directly subordinate to the Ministry of Justice and Police.

This option does not depend on the implementation of the joint recommendations. But the establishment of a Joint Intelligence Cell and the publication of a Joint Requirement and Priority Document, as described above, would add support for this option.

Legislative challenges. Implementing this option would require updating the Public Acts legislation and the Royal Instructions pertaining to the NIS and Instructions for the Chief of Defense. Changes to the Public Acts are made by the Storting; the Government can execute an update of the Royal Instructions.

Advantages. The main advantage of this option is that it would result in a better-supported national decision-making process. Although the Minister of

Foreign Affairs can approach the NIS directly today, this option would formalize current Foreign Affairs practices. Over time, this could also increase the value of national intelligence support within the Government and among the public. With increased public support for its services, the intelligence community would be better able to execute its tasks at an even higher standard than today. In addition, the intelligence elements in the Armed Forces could use such a reorganization to establish a joint military intelligence effort in direct support of the warfighter.

Disadvantages. This option would require changes in the current overhead structure of the Ministry of Defense and the responsibilities of the Chief of Defense. This author estimate that implementing this option would encounter serious resistance from within the military, which would no doubt view the restructuring as an unnecessary reduction of the Chief of Defense's position within Norway's overall foreign- and security-policy structure. In addition, it would necessitate the establishment of a small intelligence coordinating element within the Defense staff. However, the option would not require a comprehensive reorganization of either the Norwegian Intelligence Service or the Armed Forces.

Feasibility. Restructuring and subordinating the NIS directly under the Minister of Defense is a feasible option that would improve and enhance the role of Norway's intelligence services.

5. Option 3. Establishment of a Civil Foreign Intelligence Service

The thesis research shows that one possible change might be to divide and reorganize the Norwegian Intelligence Service into a civilian foreign intelligence service and a military intelligence service, making the civil intelligence part subordinate to the Office of the Prime Minister or the Ministry of Foreign Affairs. At present, however, because the Prime Minister is not the head of a government ministry, according to the Constitution, no agency can be subordinated to his office. What is more, the Foreign Affairs ministry is neither structured nor organized today in a way that would facilitate its taking

responsibility for a foreign intelligence service as a subordinate. Finally, no matter how useful a civil intelligence service might be, the present system is working competently. Thus, the necessity for further restructuring and the cost of such a dramatic change would most likely outweigh the benefits of this solution. This thesis concludes, therefore, that that this option is not feasible.

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VI. CONCLUSION

This thesis has discussed the relations between the Norwegian Executive Power, the Government, the Legislative Power, the Storting, and their two main intelligence supporters, the Norwegian Intelligence Service (NIS), and the Norwegian Police Security Service (NPSS).

Although both the NIS and the NPSS have tasks related to the support of military operations and (police) investigation and prosecution, their main focus as strategic intelligence services is to support the Government in forming and shaping the Norway's foreign and security policies and protecting the nation's human and societal security.

While the overall structure of the intelligence community was sufficient during the Cold War, this thesis argues that that structure is not sufficient today. To handle tomorrow's more complex world, given the increasing importance of the High North, border-crossing nonstate actors, and a security policy that includes a number of ministries in addition to the Minister of Defense, this thesis has recommended a number of changes.

The thesis concludes that the current political oversight of the Norwegian Storting is acceptable and has political and public support. The thesis argues that the overarching relations between the Government and its supporters are working. However, it also argues that there are flaws in the overall structure and that an absence of public information concerning the nature and contributions of the services creates an unnecessary disturbance.

An implementation of Joint Recommendation #1, the establishment of a Joint Intelligence Cell at the Office of the Prime Minister, would significantly increase the intelligence communities' ability to support Norway's political goals. An implementation of Joint Recommendation #2, the production of a Joint Requirement and Priority Document in both unclassified and classified versions that visualize results of the past and expectations for the future. This author

argues that producing such a document would significantly increase the the services focus and the public's support and thus reinforce the intelligence community's ability to support its principles. Such a document will also increase the joint effort of the services and enhance inter-service relations.

Chapter V discussed the success criteria for intelligence support and possible options for reorganizing strategic intelligence support. Table 1 illustrates this author's weighing of the criteria options.

	Support of political goals	Protecting the nation	Chain of Command	Relevant, timely, reliable and informative	Legislative, Executive and public support	Unity of effort
Option 1 No Change. NIS subordinate to CHOD	0	0	0	0	0	0
Option 1 + JIC at OPM	+	0	0	+	++	+
Option 1 + JIC and REQPRIDOC	++	+	0	++	++	++
<hr/>						
Option 2. NIS subordinate direct to MoD	+	0	++	+	++	+
Option 2 + JIC at OPM	+++	0	++	++	+++	++
Option 2 + JIC and REQPRIDOC	++++	+	+++	++	++++	+++
Option 3 A civil foreign intelligence service	Not feasible, see Chapter V/B/5					

Table 1. A visual comparison of the three possible models

In sum, this thesis recommends that the Norwegian Intelligence Service be moved from its current subordination under the Chief of Defense and subordinated directly to the Minister of Defense. Such a restructuring will establish a small new intelligence liaison-and-support element within the Defense Staff to oversee the relations between the NIS and the Armed Forces. Further, the Office of the Prime Minister should be assigned a supportive Joint Intelligence Cell, who also would be responsible to develop a Joint Requirement and Priority Document concerning the focus for the services and the ability for quality control.

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